

Also, memorial of Steel and Copperplate Engravers' League of Philadelphia, favoring the Carlin bill, House bill 9820; to the Committee on the Judiciary.

By Mr. NOLAN: Resolutions of the county board of directors, Ancient Order of Hibernians in America, of San Francisco, Cal., protesting against the treatment accorded the Irish revolutionary leaders by the British Government; to the Committee on Foreign Affairs.

By Mr. O'SHAUNESSY: Memorial of General Federation of Women's Clubs of Pittsburgh, Pa., favoring the passage of the Kern-McGillicuddy bill; to the Committee on the Judiciary.

Also, memorial of Walcott Manufacturing Co., of Providence, R. I., opposing the Tavenner amendment to the fortifications bill; to the Committee on Appropriations.

By Mr. SNYDER: Memorial of Chamber of Commerce of Rome, N. Y., against Tavenner amendment to the fortifications bill; to the Committee on Appropriations.

By Mr. STINESS: Petition of United States Bobbin & Shuttle Co., of Providence, R. I., against the so-called Tavenner amendment to the fortifications bill; to the Committee on Appropriations.

Also, petition of Wolcott Manufacturing Co., of Providence, R. I., against the so-called Tavenner amendment to the fortifications bill; to the Committee on Appropriations.

By Mr. TAYLOR of Colorado: Petition of citizens of Colona, Colo., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Petition of sundry citizens of the United States, in reference to foreign interference with Red Cross supplies; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petitions of Christian Kienle and 52 others, of Lehr; S. W. Menzle and 20 others, of Woodworth; and D. S. Beitz and others, of Bowdon, all in the State of North Dakota, against bill for Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

Also, petitions of Al. Jorges and 21 others, of Woodworth; C. D. Hein and 50 others, of Lehr; and J. A. Roth and 24 others, of Bowdon, all in the State of North Dakota, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

## SENATE.

WEDNESDAY, June 21, 1916.

(Legislative day of Tuesday, June 20, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

### DAUPHIN ISLAND RAILWAY & HARBOR CO.

Mr. UNDERWOOD. Mr. President, I desire to ask unanimous consent that the Vice President may lay before the Senate the amendments of the House of Representatives to Senate bill 4476, a bridge bill, and that the Senate may concur in the amendments. It only changes the bill as it passed the Senate by limiting the time to two and a half years, the Senate having extended it five years.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4476) to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the water between the mainland at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands, as amended by an act approved June 18, 1912, which were to strike out all after "he enacting clause and insert: "That the time for the commencement and completion of the bridge or bridges authorized by the act entitled 'An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the water between the mainland at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands,' approved June 18, 1912, is hereby extended to two years and four years, respectively, from and after the 18th day of September, 1916," and to amend the title so as to read: "An act extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled 'An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or

bridges or viaducts across the water between the mainland at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912."

The VICE PRESIDENT. The Senator from Alabama moves that the Senate concur in the House amendments.

The motion was agreed to.

### CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Norris	Smith, Ga.
Bankhead	Hollis	Oliver	Smith, Md.
Borah	Husting	Overman	Smoot
Brandeggee	James	Page	Sterling
Bryan	Johnson, Me.	Phelan	Thomas
Chamberlain	Johnson, S. Dak.	Pittman	Tillman
Clapp	Jones	Polndexter	Townsend
Clark, Wyo.	Kern	Pomerene	Underwood
Culberson	Lane	Ransdell	Vardaman
Cummins	Lodge	Saulsbury	Walsh
Curtis	McLean	Shafroth	Warren
Dillingham	Martine, N. J.	Sheppard	Williams
Fletcher	Myers	Sherman	Works
Gallinger	Nelson	Simmons	

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from West Virginia [Mr. CHILTON] is detained from the Senate on important public business.

Mr. CUMMINS. My colleague [Mr. KENYON] is detained at home by the serious illness of his mother. I desire that this announcement shall stand throughout the day.

Mr. KERN. I wish to announce the unavoidable absence of my colleague [Mr. TAGGART]. This announcement may stand for the day.

Mr. ASHURST. I rise to announce that my colleague [Mr. SMITH of Arizona] is unavoidably detained by reason of illness in his family.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

### NAVAL MANAGEMENT AND DISCIPLINE.

Mr. THOMAS. Mr. President, on March 5, 1913, the Navy Department was given over to the supervision of Secretary Daniels. For 16 years it had been directed by Republican administrations. One of these embraced nearly half that period. At its head was Theodore Roosevelt, whose genius and capacity for the efficient and unflagging exercise of Executive authority, both in and out of office, is asserted by himself and admitted by his friends to be unequalled and unsurpassed anywhere in any age. During these 16 years over \$1,500,000,000 was appropriated for and expended upon the Navy. Excepting Great Britain, this sum was greater than that expended in the same interval for the same purpose by any other nation. During that period, also, those in charge of public affairs were fairly well satisfied both with the size and efficiency of the fleet and entirely so with their management and administration of the Naval Department. In demonstration of this, Mr. Roosevelt, with characteristic audacity, assembled our battleships and sent them on a wild-goose chase around the world in 1908, at an expense of a few trifling millions, and felicitated himself upon devising a happy expedient for impressing the nations of the world with our invincible strength at sea and at the same time with a due and appropriate sense of his own capacious resourcefulness. It was assumed, perhaps with some temerity, but with a fair degree of confidence in the integrity of official assurances, that whatever weaknesses or deficiencies existed in other departments of the Government, the Navy was well manned, well managed, and second in rank with the navies of other nations when President Taft made way for his successor. This pleasant conviction remained with us constant and almost unchallenged until the outbreak of war in Europe. It was then rudely disturbed and denounced largely, if not wholly, by those who had captured our confidence and who were solely responsible for naval and Army conditions. They revealed to the public that our Navy was weak, inefficient, undermanned, obsolete, disorganized, badly officered, unbalanced, and fit only for the scrap heap; that our coasts were therefore defenseless, our cities exposed to the ravages of war, and our wealth to the mercy of any national buccaneer whose animosity or cupidity might suggest their exploitation.

And for these horrible conditions the present Secretary of the Navy was charged with the responsibility. He was said to lack experience, common sense, patriotism, serious purpose, initiative, and organizing capacity; that he knew nothing and refused to



learn anything; that he was a faddist, cursed with absurd and Puritanical theories, insistent upon trying them on the Navy, and unmindful of the counsel or the wishes of the old and experienced authorities under whose far-seeing and benignant supervision the fleet had been improvised. Because of him our ships were underofficered and undermanned, our stores of ammunition inadequate, and our guns inferior to those of other nations. Because of him our submarines could not dive nor our torpedo-boat destroyers navigate. Because of him our dreadnaughts were obsolete and our shipyards dilatory in building more. Because of him we were forced to regard the product of our former vast naval appropriations fit only for the discard, and the marine forces inefficient, untrained, and demoralized. Because of him America, though building and constructing for 30 years, had neither Navy nor naval program. So malign and baleful, indeed, had been the conduct of this man since his recent assumption of naval authority that the skeleton of a fleet, which his predecessors had evolved through a long and dreary process of public expenditure, was falling to pieces, and, Switzerland excepted, we were less prepared on sea than the people of any other country. Should England conclude to suspend her blockade of German ports for a brief period and direct her energies on sea to the destruction of our wealthy but helpless coast communities; or should the Kaiser's fleet break through the British cordon of floating steel and postpone its offensive against Great Britain, until it had filled its coffers with New York gold; or should France, or Austria, or Russia, or even Italy create a diversion by sudden descent upon our inviting and unprotected shores, nothing, not even the God of battles, could save our hapless land from the invader's legions. Or if Japan, having captured the German garrison at Tientsin and imposed her terms on China, should suddenly swoop down upon San Francisco with half a dozen ships she could easily invest and occupy the city and use it as a base for inland conquest. That she has not done so is due wholly to her pacific disposition, a state of mind easily subject to change, if not to transformation. For all of this, according to these critics, the Secretary of the Navy is responsible, and Providence only stands between us and destruction.

To heighten the public apprehension and with it the public resentment toward this recreant official, appeals have been made to its ears and eyes by conventions, pamphlets, press announcements, and moving pictures. The Battle Cry of Peace, traveling the country's length and breadth, witnessed by fear-stricken millions, staged and advertised without regard to expense, had brought his iniquities home to every community. These have seen with their own eyes to what his shortcomings have exposed his countrymen. It pictures the landing of the barbarian, the sacking of our cities, and the pillage of our bankers, trust magnates, oil princes, exchange brokers, munitions makers, and other defenseless but deserving people. The lesson of this terrible vision has been driven home by Aviation Leagues, National Defense Leagues, American Defense Leagues, National Security Leagues, Navy Leagues, Army Leagues, Patriotic Sons' Leagues, Patriotic Daughters' Leagues, Roosevelt Leagues, and preparedness processions. One league convention scarce adjourns before another league rings up the curtain, all thundering the one chorus, "Our coast defenses are worthless; our Navy is obsolete, demoralized, and inefficient; our shores unprotected; our wealth insecure; and our people helpless. Let Daniels be anathema."

Mr. President, I have read with some interest and more curiosity the newspaper accounts of the convention proceedings of these multitudinous leagues. Many of these doubtless mean well, but it is more than a coincidence that nearly all of them were spawned with the early munitions contracts of the allies and have expanded pari passu with the expansion of munitions manufactories.

Their proceedings vary chiefly in the names of their speakers and of the hotels or halls where they talk with raucous monotony to their congregated members, none of whom show any keenness for putting their principles into action by enlisting in this much-needed army of which they talk so glibly. They denounce our criminally defenseless condition; they censure the existing administration for that condition. They demand the immediate organization of a huge standing army and the building of a huger navy. They assert our present Navy to be no Navy at all, and inferior to those of all other first-class powers. The hysterical ones encourage and applaud the complaints and criticisms of every man, particularly every naval man, out of touch with the Secretary of the Navy, and hiss the name of Daniels whenever it is uttered.

A former Secretary of the Navy, the erstwhile petted and complacent darling of the old naval régime, has not hesitated, if he tells the truth, to advertise his own deplorable incompetency by libeling the character of the fleet and win ap-

plause by impudently shifting the alleged consequences of his own chronic ineptitude upon the shoulders of his successor.

"Preparedness" magazines, newspapers, and pamphleteers have taken up and prolonged this chorus of Mr. Daniels's vilification. Some of these have descended to the levels of epithet and of diatribe.

An ex-President of the United States, the only public man of his generation who is at all times righteous, honest, truthful, capable, courageous, candid, consistent, invincible, and honorable has pronounced his fulminate upon this unpardonable official sinner, thus completing the circle of the denunciation.

Mr. President, among the critics of the Secretary is one Henry Reuterdaahl, who, in 1908, on the occasion of the circumnavigation of the globe by our fleet, wrote a series of articles in criticism of our Navy, and particularly designed to exhibit the insufficiency and unscientific methods of the construction of our battleships. The result was the holding of an inquiry by the Senate Committee on Naval Affairs and a second investigation of the charges which this gentleman made. At that time, when Rear Admiral Converse appeared before the committee, this sentiment was summed up by Senator MARTIN thus:

It appears to me that if a first-class deserted island can be found in the Pacific orders should be sent to Admiral Evans to dump Reuterdaahl onto it. Such action would go far toward avoiding a repetition of such affairs.

Just before adjournment Senator Perkins said to the naval officers:

We ought to apologize to you for calling upon you to refute such an article as this.

That's true—

Said Senator Hale—

but it's written in such a vein that a layman could not understand how absurd the charges are. It attracted the attention of the whole country, and we had to investigate.

Mr. President, if a tithe of the sins of commission or of omission with which Secretary Daniels has been charged during the last 12 months were true, he should be relieved of his great office, and no man should lift his voice in protest. If a tithe be true, his detractors might find partial justification for their conduct. If a tithe be true, the administration should be disciplined because responsible for him. It is not true; and I firmly believe that no one knows this better than the great majority of his detractors. Indeed, I might go further and assert that the campaign of slander and misrepresentation waged and waged against this upright and courageous Cabinet officer has been largely inspired by men in and out of the Navy who can not use him and who are therefore determined, if they can, to force his removal or to crush him.

He is an obstacle to the material, the farseeing, the profit-making side of "preparedness," and since he will not bend or step aside he must be broken or run over. The pack has been unleashed, and Tray, Blanche, and Sweetheart in full cry are baying at his heels.

What has the Secretary done, or omitted doing, that has started this avalanche of denunciation? His duty; that is all. And he has done it quietly, modestly, and effectively. He has also done it courageously. He has been undaunted by the voices of the mighty, the power of cabals, the tinsel of epauletted aristocracy, or the self-interest of Navy contractors. And he goes upon his course undismayed and unshaken by the obloquy of the disappointed.

The changes and reforms introduced into the Navy Department by Mr. Daniels which have chiefly given offense are:

1. Enforcement of the law requiring competitive bidding by armor-plate manufacturers for armor-plate contracts.
2. The abolition of Mr. Meyer's aids to the Secretary and the substitution of a Chief of Naval Operations.
3. Extending to the officers' mess room Secretary Long's order of 1899, prohibiting on board ship the use of alcoholic liquors by sailors and seamen.
4. The establishment of naval schools on the ships, in addition to those on shore, for the technical education of enlisted men, and making them eligible to promotions.
5. His advocacy of Government-owned armor-plate and munition plants.

Other policies have been inaugurated in the department not at all congenial to the conservatism of the past. These, however, I shall not discuss.

First. Prior to this administration, bidding on armor plate for the Navy was farcical. A representative of each of the three plate manufacturers would come to Washington at the appointed times, register at the same hotel, dine together, hold a conference, and then send bids to the Secretary in identical amounts for the same contract. The complacent predecessors of Secretary Daniels would receive and accept these bids and



assign the contracts to one of them, nominally perhaps, but to all of them in reality. Of course such bidding violated the spirit of the law, was in no sense competitive, and wholly to the disadvantage of the Government. But it was part of the price paid by previous administrations for the political support of these manufacturers.

In April, 1913, Senator ASHURST denounced this practice on the floor of the Senate and demanded its investigation. Secretary Daniels, apprised of its nature, properly and promptly terminated it. Since then bids for armor plate have been the good old-fashioned ones, and the lowest responsible bidder has secured the contracts.

When we learn that the Secretary's requirements have effected a saving to the Government thus far of \$1,110,084 on armor-plate purchases and a further saving of many millions more on contracts for the immediate future, we can measure in some degree the dimensions of armor-plate animosities which this policy has aroused. And when to this is added the millions he has saved through Government manufacture of smokeless powder and the \$1,077,200 he has cut from a single bid for projectiles, we can also appreciate the depth of resentment he has aroused in other directions.

Those who would return to the good old days, when the bidders and contractors had their own way, when Secretaries of the Navy performed their duties perfunctorily or vicariously, when they were but receivers and transmitters for their aids, can see no merit in these changed conditions; but those who appreciate thoroughness and integrity in public affairs, economy of administration, and strict enforcement of the law will give to the quiet and imperturbable gentleman now directing the affairs of the Navy Department the reward of their unqualified approbation.

Second, Mr. Daniels's immediate predecessor appointed four aids to the Secretary. These aids—for operation, personnel, matériel, and inspection—formed a sort of cabal or cabinet, which ruled the Navy. Mr. Thomas P. Ivy, an intelligent and valued citizen of New Hampshire, thus describes the operations of this quartet:

The Secretary knew nothing of the Navy except what this small cabinet permitted him to know, and no officer in the Navy, however meritorious he might be, who was out of favor of this cabinet clique, had full and free opportunity to make use of his ability in the service of the Government and the people. Such a cabinet of aids was a distinct disadvantage to the Navy, because its ideals were undemocratic, tending to crush out every particle of individuality in the Navy and to create a pliant and wholly subservient machine. Looking forward to this consummation, this cabinet of aids mapped out a plan in which they assigned every officer's place and promotion as far ahead as the year 1925. The book in which this program is plotted I have seen myself, and know the statement is based upon an undeniable fact. In this scheme of promotions, this cabinet of aids first of all provided for their friends, giving them the most desirable positions in the Navy, without that strict regard for professional capacity and qualification without which no navy can be efficient. When Mr. Daniels became Secretary, this clique set about to take him over to their views and to use him as a mere tool for carrying out their plans, as they had done with Mr. Meyer. Mr. Daniels not only refused the overtures of this clique, but found himself compelled to get rid of it and put himself in direct touch with the heads of the bureaus of the Navy, under men who knew what the Navy needs and what ought to be done.

Congress had refused to legalize this council of aids which Mr. Daniels very properly describes as a fifth wheel in organization. He suggested that Congress follow the recommendations of the Moody Board, which it did, and authorized the appointment of a Chief of Naval Operations. To this place Admiral Benson was appointed. This admirable and efficient officer has thoroughly organized the varied operations of the Naval Department. The bureaus are under his immediate supervision, the bureau chiefs are his aids, and the Navy is in better condition than ever before.

Mr. Daniels, in effectuating this needed change, made no rash incursion into untried fields of experiment. He had behind him the sound judgment and ripe experience of men old in the service. I need perhaps only quote Admiral Melville, who said:

I have always been a consistent supporter of the bureau system, which, I earnestly believe, under a civilian Secretary and Assistant Secretary of the Navy and its expert bureau chiefs, is the only mode of successfully conducting the business of the Navy Department of a Republic.

But one who rudely disturbs an evil like this, who deprives a cabal of its power by displacing its members and abolishing the system, must expect trouble, and plenty of it. Men do not yield their views, much less their places, with resignation. Their anger is aroused not only, but their malice as well. These find circulation in slander, innuendo, and falsehood, beneath which the real cause of commotion may be concealed or forgotten by an inconsiderate or careless public. I quote again from Mr. Ivy:

To the fact that he dismissed this clique, who controlled Mr. Meyer, and reestablished a modified bureau system of direct contact

with the bureau heads of the Navy is due the attacks that are made on Secretary Daniels's administration of the Navy Department. One of the officers in the Navy who has been the most persistent in criticizing Secretary Daniels can not himself be said to be free from imperfection, for the late Admiral Robley D. Evans, whenever he saw this officer coming toward him, was wont to exclaim, "Please somebody protect me from that \* \* \*." Almost before he entered his private office the option was offered him of becoming a parrot, as Mr. Meyer had been, and saying only what he was told to say, or of meeting opposition and abuse from this clique and their friends if he attempted to assert his rights as civilian head of the Navy. History, that works out all truths in time, will give to Secretary Daniels full credit for choosing rather to do his duty toward the Navy itself and the Government and people, for whose service the Navy was created.

I have little doubt that Mr. Daniels's predecessor, who has been most prominent in making these attacks, is the willing mouthpiece of the cabal whose members, under the shelter of his office, controlled our naval affairs. He coolly asserted last January, according to the New York Sun, that there were no brains in the Navy now. Yet his are the only brains which have been separated from the department since he left it. Fortunately common sense and common honesty are there, a combination sometimes superior to brains bereft of either.

I read, Mr. President, a list of the heads of bureaus in the Navy Department, commencing with Admiral George Dewey:

Admiral of the Navy George Dewey, honored with this exceptional rank for life and given the thanks of Congress for his victory in Manila Bay, has been head of the General Board since its organization in 1903. Associated with him are some very able naval officers. Rear Admiral A. M. Knight has actually made the War College during this administration what its name implies, by the aid of Secretary Daniels's hearty cooperation, increased its faculty from 7 officers under Mr. Meyer and 5 students to 9 officers and 32 officer-students, while 400 officers are taking correspondence courses in strategy. Rear Admiral Badger was commander in chief of the Atlantic Fleet, and made the remarkable get-away from Hampton Roads to Vera Cruz within 36 hours of receiving his orders to sail. So valuable were his services that he was continued on the board for a year after his retirement. Rear Admiral W. S. Benson, first Chief of Naval Operations, has made this office in the year of his incumbency the equal of any European general staff, and has seen the Navy better organized and prepared than ever before in its history. Maj. Gen. George Barnett, commandant of the Marine Corps, has been a leader in training his corps in advance-base work. Other officers of the General Board of recognized ability are Capt. H. S. Knapp; W. L. Rogers; J. H. Oliver, Director of Naval Intelligence; S. S. Wood; C. F. Hughes; and Commander H. J. Ziegemeier, jr.

But George von L. Meyer is gone, and there is left in the Navy "no brain."

Admiral F. F. Fletcher, who handled the difficult and delicate situation at Vera Cruz during the American occupation in 1914 with consummate skill and ability, has recently been detached from the command of the Atlantic Fleet and been ordered to the General Board. He has been succeeded by Vice Admiral Henry T. Mayo, the first American Navy officer to hold the rank of vice admiral. Admiral C. McR. Winslow, of distinguished bravery in the Spanish-American War, commands the Pacific Fleet, and Admiral Albert G. Winterhalter, who was the Secretary of the Navy's remarkably efficient aid for matériel for four years, is commander in chief of the Asiatic Fleet.

But Meyer is gone, and the Navy no longer has any brain!

At the head of the Bureau of Navigation is Rear Admiral Victor Blue, whose daring expeditions in locating Cervera's fleet in Santiago Harbor made his name famous around the world. He penetrated the Spanish gunboat blockade in an armed ship's boat, met Gen. Gomez, and captured two Spanish patrol sloops as he ran out of the harbor.

But Meyer is gone, and the Navy has "no brain."

At the head of the Bureau of Steam Engineering is Rear Admiral Robert S. Griffin, whose service in this position has been signalized by the adoption of the electric drive in the propulsion of battleships and by the perfection of radio communication service.

But Meyer is gone, and the Navy has "no brain."

Rear Admiral Joseph Strauss, Chief of the Bureau of Ordnance, has no peer in any navy as an ordnance expert. He completed the Government powder factory at Indianhead and was in charge of it when the Government made its first powder, and its growth and expansion has been largely due to his brain and zeal.

Yet, since Meyer has been retired to private life by the will of the people, the Navy has no brain.

Rear Admiral David W. Taylor, Chief of the Bureau of Construction and Repair, first honor graduate of Annapolis and post-



graduate with honors from the British College at Greenwich, perfected the center line of fire on battleships and has contributed enormously to the perfection of the design and protection of ships.

But Meyer has gone, and with him all semblance of brain in the Navy.

Rear Admiral Samuel McGowan, as Chief of the Bureau of Supplies and Accounts, has brought this important bureau, which handles enormous funds and has supervision of all supplies, up to the highest degree of efficiency.

But with the passing of Meyer brains have disappeared from the Navy.

Rear Admiral W. C. Braisted, Surgeon General of the Navy, whose report on the medicine and surgery of Japan during the Russo-Japanese war, attracted the favorable attention of the scientific world, has brought the Medical Corps up to a high condition of effectiveness and will see it increase from 347 to 500, with two Hospital Corps training schools established and a new hospital ship authorized and under construction.

Yet Meyer has gone, and the Navy has no brains.

Under Capt. Ridley McLean, Judge Advocate General of the Navy, the entire naval penal system has been improved and naval prisoners tremendously reduced, while the laws of the country as they affect the Navy has been codified in a masterly manner.

But Meyer is gone, and the Navy has lost its brains.

With none to stand between the Secretary and his bureau heads, with merit as the test of promotion, with economy throughout the department, one may well appreciate the unqualified assertion of Admiral Dewey, that Mr. Daniels has given us a Navy which "is not excelled except in size by the fleet of any nation in the world."

I have, Mr. President, a copy of the letter of the admiral in which that quotation is made, bearing date the 14th of May, 1915, and ask to insert it in full at this stage of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The letter referred to is as follows:

MAY 14, 1915.

MY DEAR MR. SECRETARY: I trust that you will be good enough to convey to the mayor and citizens of New York City my sincere regret at my inability to be present at the ceremonies incident to the review of the Atlantic Fleet, and my cordial appreciation of the hospitality they have shown in the reception of the officers and men.

On this occasion I recall with the utmost pleasure the magnificent welcome I received in their great city upon my return from Manila on board the *Olympia* in September, 1899, and it is a source of deep satisfaction to know that the interest of our citizens in their great Navy has not diminished in the 16 years that have elapsed since that time.

The people of New York have just cause for pride in the fleet now assembled in their harbor. Not only is it composed of the finest and most efficient warships that we have ever had but it is not excelled in size by the fleet of any nation in the world; our ships and guns are as good as any in the world; our officers are as good as any; and our enlisted men are superior in training, education, physical development, and devotion to duty, to those of any other navy. As president of the General Board for the last 15 years I can say with absolute confidence that the efficiency of the fleet has steadily progressed and has never been so high as it is to-day.

However, we need more ships, more officers, and more men, and should continue the wise policy of increasing the size of our Navy, which must ever remain our first and best line of defense. This defense unless adequate is impotent; and adequacy is not reached until the Navy is strong enough to meet on equal terms the navy of the strongest probable adversary.

Very sincerely, yours,

GEORGE DEWEY.

HON. JOSEPHUS DANIELS,

Secretary of the Navy, Washington, D. C.

Mr. THOMAS, President Wilson, Commander in Chief of the Navy, made this official statement:

I was greatly struck by the appearance of the fleet and the quiet efficiency shown by the officers and men, as I am sure everyone must have been who had the pleasure of seeing it assembled at New York.

There could have been no more interesting verification of Admiral Dewey's statement that the Navy was never in a better and more efficient condition, and that the country has every reason not only to be proud of it, but every reason to wish to go forward in its policy of steadily adding to its strength and equipment.

But the venom which seeks to discredit the Secretary has not confined itself to him alone. It has been directed against his appointees; against Griffin, of the Bureau of Steam Engineering; Strauss, of the Bureau of Ordnance; Taylor, of the Bureau of Construction and Repair; Benson, Chief of the Bureau of Naval Operations; Blue, of the Bureau of Navigation; Wurtzbaugh, the Secretary's most efficient aide. Indeed, calumny would fasten itself upon Admiral Dewey, a loyal supporter of the prevailing naval policy, were its courage at all proportionate to its vindictive animosity.

Third. The prohibition of the use of alcoholic liquors on shipboard by men in the Army and Navy is a subject neither new nor national. It commanded the thoughtful consideration of soldiers, statesmen, and reformers long before the outbreak of

the European war. That war gave signal demonstration of its necessity in the orders of all the great powers engaged in the conflict save Great Britain, where Lloyd George denounced drink as a foe more formidable to the empire than Germany. Lord Charles Beresford had before then protested against the use of liquor in the British Navy, and the German Emperor assured his naval cadets before the war began that "the nation which consumes the least alcohol wins."

Secretary Long in 1890, doubtless actuated by the experiences of the Spanish-American War, issued an order forbidding the sale or issue of liquors to enlisted men on board ship. He was the pioneer of a movement since become general. We may be sure that this order was not humbly received or eagerly enforced; but it nevertheless became effective, and, as it was confined to the enlisted men, the officers were not affected by it.

Yet every reason requiring such an order for enlisted men applies with added force to their superiors, upon whom rests all the responsibility for both men and ships. If the man in the ranks should at all times possess a clear mind and a sound body, his commander should be no whit behind him. If the use of alcohol deprives the enlisted man of these essentials or tends to undermine or weaken them, the same is true of the midshipman, the lieutenant, the captain, and the admiral. Hence 14 years should not have intervened between the issuance of the order of 1890 regarding the rank and file and its extension to all the officers of the line. It would be strange, indeed, if during this period the enlisted man should not have challenged the justice of an order, which, denying him the privilege of drink, should exempt his commander from its operation. Nothing more weakens the morale of an army or navy than a sense of injustice. I dare affirm that the percentage of offenses and desertions by embittered men would decline rapidly toward zero if discriminations between men and officers, such as the Long order established, were systematically avoided.

Acting upon the official recommendation of the Surgeon General of the Navy, Mr. Daniels extended Secretary Long's order to officers, much to the amazement and disgust of many of them. The notion that the convivialities of an officer and a gentleman should be prohibited because the good of the service required it was preposterous. Because a seaman should lead an abstemious life was no sort of reason that his commander should do so. Indeed the social demands of his more lofty position required him to maintain and patronize his own stock of liquors. Hence to many the order was absurd, ridiculous, outrageous, humiliating, and unbearable. What would be thought of a naval officer on duty who could not drink when he pleased? What would foreign naval officers say of such a monstrous regulation? Would they not make merry over the silly and contemptible requirement? Indeed it was a dangerous rule, for did not a certain admiral, warmly welcomed nowadays whenever a defense league meets to shriek "preparedness" and to damn the Secretary, warn Mr. Daniels that the order, if enforced, might substitute opium and cocaine for whisky in the officers' mess rooms? According to his view, these gentlemen must have stimulant, and if the usual one were denied others more deadly and sinister might be substituted. But the Secretary was firm and the order stands.

It not only stands, but it was the forerunner of similar orders in nearly every navy of the world. It has made our officers and our men amenable to the same requirement affecting their health and their efficiency. It has given the man on the decks a strong assurance of the equity and justice which this administration practices in naval discipline. But it has opened the floodgates of ridicule, of abuse, and of lampoon upon the devoted head of Mr. Daniels. But for this order his other breaches of naval proprieties might have been condoned. Promotions, demotions, reorganizations, disorganizations, schools for enlisted men, disregard of advisory manuscripts, carefully composed and as carefully filed away, all these might have been borne had the cocktail been spared. But the iconoclast whose ruthless hand dashed the champagne glass upon the deck and banished the gin rickey from the mess room forever is a creature too odious to have been born of woman. Therefore away with him!

But the sober common sense of the people has long since recognized not only the justice but the practical need of this celebrated order. The average man has laughed good humoredly at the diatribes and cartoons which magazine and newspaper have leveled at the Secretary; but the aim of the order he has admired and approved, as also the wisdom in announcing and the courage in enforcing it. He knows that water for the officer's mess room is quite as essential to the good of the Navy as water for the deckman; that a sober soldier needs a sober commander, and that without such assurance the soldier's abstinence may prove profitless. And he knows, too, that the application of the same rule to all squares with the soldier's se-



of justice and reconciles him to a self-denial which were otherwise quickened by a sense of wrong. The seaman has responded to this situation by enlisting to the maximum of our naval strength for the first time and by reenlisting in larger and ever-increasing proportion. And the officers are yielding with less and less reluctance to the requirements of the order. A distinguished admiral, who first opposed it, now says it is the best thing the Secretary ever did. Since the outbreak of the world war many of them have doubtless inwardly acknowledged its value. Nor have they turned for stimulant either to opium or to cocaine. That unworthy suggestion was promptly spurned by every man in whose interests it was presumably made. And who is there so bold as to declare that Mr. Daniels's successor, be he Democrat or Republican, will dare to set this order aside?

Such a one would call upon the mountains to hide him from the indignant wrath of an aroused nation ere the ink had dried upon his signature to the order of reversal. The new régime has come to stay, and in due season the honor for it will also come to the quiet but determined man who ordained it.

Fourth. In addition to those at the naval stations, the Secretary has established schools on board ships, in order to give all enlisted men desiring to avail themselves of the opportunity thus afforded to acquire technical knowledge, making them eligible for promotions to higher positions. He has since determined to supplement these with summer schools on board ships, modeled after the Army encampment at Plattsburg. This innovation has been nearly as exasperating to his critics and detractors as that which drove liquors from the mess rooms. The preposterous notion that an enlisted man can or should be anything else, so contrary to the old-established order of things, was "monstrous," even in theory. It could not be otherwise than destructive and damnable in practice. It would break down the walls of official caste, close the chasm between the deck and the officers' bridge, and utterly demoralize the service. Moreover, officers were not trained and commissioned for pedagogy. They should not be required to teach their underlings; the very thought was degrading.

But the Secretary could not be deterred from this most praiseworthy purpose. Despite sneers and detractions he has held steadily to his course. He states the proposition more aptly than I can in a recent interview from which I quote:

They charge that the Navy is going downhill, that enlisted men hate the service, and that my brand of democratization has spelled the demoralization of the service. What is my brand of democratization? I have established schools on board ship, attempting to let every enlisted man have an opportunity for academic and technical education, and I have opened certain doors of promotion to these men. What demoralization has resulted? When I took office only 52 per cent of the men discharged in good standing were reenlisting, while to-day the percentage is 85 per cent. I found a Navy 5,000 short of the number allowed by law. In my three years 6,365 men have been added. There was an average of 1,800 men in prison, while to-day there are less than 700, permitting us to restore two prison ships and two disciplinary barracks to normal uses. During the Taft administration there were over 10,000 desertions. A decrease of over 17 per cent has been achieved already, and every day sees the number lessening. Do these figures indicate discontent, hatred of the service, and destroyed discipline? I stand by my schools and, if necessary, I am willing to fall with them. No man believes more firmly in discipline than I do; never in spoken speech or written have I questioned the absolute necessity in all military service of instant and implicit obedience to a superior. I will have no mercy on insolence or insubordination, be it from seaman to his petty officer or junior lieutenant to his captain, but I do not hold that discipline is dependent upon ignorance or the denial of an American's right to rise as high as his ability will carry him. Time and again it has been declared to me that education does not better fit a man for deck washing or coal heaving, and the contemptuous snobbery of it has never failed to offend. If 85 per cent of discharged men are reenlisting, and if more than 6,000 men that the Navy called for in vain until 1912 have entered the Navy, may it not be that the cause is to be found in a policy that holds out the bright prospects of education and advancement? If sensitive feelings are being hurt by simple recognition of plain Democratic principles, it is a matter for their shame, not mine.

Mr. President, what American putting aside partisanship will challenge the sentiments I have just quoted? What lover of Republican principles will dare affirm their unsoundness? What seaman of the American Navy has repudiated or belittled the Secretary's plans for his well being? On the 13th of last April I accompanied the Senator from Illinois [Mr. LEWIS] to Philadelphia. Upon the train were a splendid young fellow and his wife whom the Senator engaged in conversation. It was disclosed that he was in the naval service; a gunner, off on vacation, and bound with his wife for their little home. The Senator mentioned the name of the Secretary to them and their eyes shone with the light of a new joy. "There," said the young man, "is a Secretary for you—a Secretary of the whole Navy including the boys on the deck and the men at the guns. He is the best we ever had. He wants to give a show to every man under him. We have schools to educate us and enable us to stand for promotion. And he says drink is not any better for officers than for men, so he takes it away from both. And what is more, he sees us when he comes on board ship, and

speaks to us, too. And he talks to us about our jobs and takes a human interest in us. They can talk all they please about him in the cabin, but you can rest assured he is all right on the decks and in the quarters." This tells the story.

Mr. President, the innovation, if I may so term it, which the Secretary has made in this matter of education has borne fruit. It finds its counterpart in a section of our military law and in the Japanese Navy. It is an interesting historical circumstance that in 1866 Gen. Lew Wallace, of Indiana, addressed a letter upon this subject to the Committee on Military Affairs—a letter which attracted the attention of Senator Sumner, who took occasion to commend it to the consideration of Congress on the 11th day of April, 1866. I ask to include as a part of my remarks the letter of Gen. Wallace and the remarks of Senator Sumner upon the subject and to insert them at this place in the RECORD.

THE VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

The Navy's school system has been criticized in some quarters as extraneous to and out of place in a great military organization, but it has admittedly helped to attract young men to the service. The papers have contained accounts of such schools established in the German army camps in Europe. That that criticism of the Navy's school system is prejudiced and partisan is evident from the fact that Secretary of War Baker has secured the insertion of the following section, providing for instruction in the Army, in the pending Army bill:

"In addition to military training, soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education, either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers."

The Japanese Navy has an elaborate system of instruction aboard ship and at stations for officers and men. The men, among other subjects, are taught "the common sciences," and the following course of "primary instruction: Reading, composition, arithmetic, calculations with the abacus, manner of making the autograph. English vocabulary." The chiefs of the different divisions are directed to "carefully supervise the chiefs of instruction and endeavor to secure the greatest advantage from it."

The education of the soldiers of the Federal Army during the War between the States was a matter close to the heart of able statesmen and brave officers in the field. The present administration of the Navy, in establishing its effective school system is most assuredly vindicated in the effort made by Senator Charles Sumner, of Massachusetts, and Maj. Gen. Lew Wallace in seeking to establish a thorough school system in the Army, looking forward to the equipping of the soldiers for their duties as citizens when the war should be ended. The following is an extract from the Congressional Globe of April 11, 1866 (39th Cong., 1st sess., p. 1877):

#### EDUCATION OF SOLDIERS.

MR. SUMNER. I send a resolution to the Chair, and ask for its adoption now:

"Resolved, That the Committee on Military Affairs and the Militia be instructed to consider the expediency of providing a system of education for the soldiers in the Army of the United States, so that the time not occupied in post or garrison duties may be employed in moral and intellectual improvement, to the end that the Army may be a nursery of officers, and also of citizens."

There being no objection, the Senate proceeded to consider the resolution.

MR. SUMNER. Before the vote is taken I wish to say that my attention has been called to this question by a letter which I saw in the papers this morning from Gen. Lew Wallace, addressed to Hon. John A. Bingham, of the other House. It seems to me that this letter contains some important and practical suggestions, if they can be carried out. I think they must elevate the character of our Army and give to it truly the character of citizen soldiers. I was so much struck with them as I read the letter this morning that I have drawn up this resolution that I might bring the subject in the most formal way before the Committee on Military Affairs of this body.

The resolution was agreed to.

The Daily Morning Chronicle, Washington, of Wednesday, April 11, 1866, contained the following:

"Maj. Gen. Lew Wallace has addressed the following letter on the reorganization of the Army to Judge Bingham. It will be found to contain many suggestions of great importance:

"WASHINGTON CITY, March 21, 1866.

"DEAR SIR:

"To extend the system at West Point to the whole Army.

"That system has three grand features: First, support of the cadet; second, education; third, graduation as officers of the Army. As to the first feature the Government already supports the soldier; there need be no additional cost on that account.

"As to the second feature, the point is simply, can the hours of service of a private soldier be so divided as to give him time for study and meditation without interfering with his routine of duty? Certainly, except when he is on the march. In post or garrison—his home in time of peace—duty seldom absorbs more than one-third of his hours not devoted to sleep. Hence the proverbial idleness of the military life. My opinion is that the division of the cadet's time, with trifling modifications, is a complete illustration of what ought to be the divisions of time in the Army. It is not more difficult to study and play the soldier than to study and perform a soldier's duty in fact. For those of your committee not familiar with the subject I take the liberty of suggesting



that you obtain from the superintendent at West Point a report showing the routine of duty and instruction there, and from the commandant of some well-conducted and amply garrisoned post a report of the routine of duty for his enlisted men; comparison of such data will convince any disinterested person that the difference between the routines amounts to this, and no more; in the academy every hour is appropriated to duty and instruction, while at the post one-third—most frequently not so much—of the working time of the soldier is occupied by duty, and the rest given over to absolute and ruinous idleness. Keeping in mind that what is called duty in the service is performed by the cadet as a part of his necessary instruction, by such a comparison you will come to understand, if you do not now, how simple the task will be to devise a system of instruction, blended with duty, which will have the effect to turn every post into an academy and convert every private soldier into a cadet. Of the details of such a system it is not my purpose now to speak. A board of earnest officers, not idolatrously joined to the old régime, can easily reduce it to form. The branches of instruction will recommend themselves, while the officers and noncommissioned officers of each company should and can discharge the duties of professors and teachers.

"As to the third feature. After having, in the way proposed, prepared the private soldier, there can be no sound objection to a law by which the officers of the Regular Army shall be drawn from the ranks exclusively, the commissions and warrants being held for that purpose as incentive to the ambition and toil of the enlisted men.

"The results of the proposed extension are self-apparent. By it you make the service honorable and advantageous to the private soldier, and by holding out inducements, such as education and commission, you will attract to the ranks the flower of our youth, and in that way assure to the Government reliability under all circumstances. By it you will be able speedily to fill your proposed regiments. By it, as a general result, practical military knowledge—not limited to a select caste, few in numbers, and not always faithful—will be scattered broadcast over the country. By it, and by no means least among the consideration, the discharged regular soldier will not be a vagrant or an idler whom society, from fear and distrust, thrusts back to his barracks; on the contrary, his honorable discharge will serve him as a certificate of fitness and ability for any civil pursuit, and make him a welcome addition to every community. By it you will not only get better military service but, as an act of wisest statesmanship, you offer in a constitutional way the coveted opportunity for education to every lad in the land.

"LEW WALLACE."

Mr. THOMAS. Before the Secretary's time it was provided by law that an enlisted man was eligible for promotion to the post of ensign. But it was not until 1910 that any man stood for the examination, when one qualified; in 1911, no one; in 1912, two; or a total of three in four years. Then came the establishment of the ship schools, and the transformation began. In 1913, 5 young men in the ranks became ensigns; in 1914, 6; and in 1915, 6. The examinations were rigid. Let me here quote from the Secretary's statement to the House Committee on Naval Affairs:

I tell you, gentlemen, that a man in the Navy from the enlisted force who stands the examination and secures his appointment is a man. In these three years since we have broadened the educational policy 17 officers have come into the service from the enlisted ranks, as against 3 in the previous four years. I hope this year we will have a dozen, and as the years go by they will increase.

Under a law of the Sixty-third Congress provision was made for appointments to the Naval Academy of 15 enlisted men who could pass the required examinations with records to be approved by their officers. Under that law through the beneficent operation of the Secretary's schools 13 young men were appointed from the decks to Annapolis prior to 1916, where they are doing splendid work, and in the words of the Secretary, "they have the incalculable advantage of at least a year's service on ship where they have had practical training." Surely a system bearing such fruit in the short space of three years is possessed of some superior value.

Mr. President, the law to which I have just referred, enacted by the Sixty-third Congress, and giving a maximum of 15 men the privilege of the Annapolis Academy, was designed originally for 25; but owing to the objection, I think, of the junior Senator from Massachusetts [Mr. WEEKS], the number was limited to 15. Twenty-three men have successfully passed the examination for admission into the next class of the Naval Academy, or 8 more than the maximum allowed by the law. The response, therefore, to that opportunity during the first year of the operation of the law is 8 men in excess of the number eligible to admission. An effort will be made, upon the recommendation of the Secretary, so to amend the pending naval bill as to permit the inclusion of the added 8—something which I feel very sure will receive the favorable consideration of the Senate. I have a press notice upon the subject bearing date June 12, and ask permission to insert it in my remarks at this point.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

[Release for Monday morning, June 12, 1916.]

PRESS NOTICE.

NAVY DEPARTMENT, June 10, 1916.

In the competitive examinations for enlisted men of the Navy for admission to Annapolis 23 enlisted men have qualified, and Secretary Daniels is writing the chairmen of the Senate and House Committees on Naval Affairs requesting that Congress authorize the appointment of all

Two years ago, upon the recommendation of Secretary Daniels, Congress passed a bill providing for the appointment of 15 enlisted men to the Naval Academy each year. The first examination was held about six weeks after the law was enacted and 5 men qualified. Last year 8 men qualified, and this year 23 men have qualified, but under the law as it now stands only 15 may be admitted. The appointment of the 15 who stood highest will be made immediately, and the Secretary is urging, because of the need of additional officers and because of their excellent record and demonstrated fitness, and inasmuch as the authorized quota was not filled in 1914 and 1915, that Congress pass an act admitting the 8 other candidates who qualified.

The 15 candidates who will be appointed immediately, and their respective addresses, are as follows:

Lisle Judson Maxson, Galesburg, Mich.; Earl Wallace Fife, Venice, Cal.; Earl Le Roy Sackett, Nampa, Idaho; Loyd Kilgore Barry, Smithville, Tex.; Henry Nicholas Mergen, Benson, Nebr.; Clarence Floyd Swanson, Denver, Colo.; Raymond Charles Ferris, Newcastle, Del.; Wesley McLaren Hague, San Diego, Cal.; Alfred Antony Wilson, Baltimore, Md.; Ralph Alger Philbrook, Malden, Mass.; John Stanhope Engs, Jr., Oakland, Cal.; Frederick William McMahon, New Haven, Conn.; John Gordon Clausung, Rawlins, Wyo.; Joseph Spykstra, jr., Golden, Colo.; Walter Scott Dutton, Oakland, Cal.

The eight other candidates who qualified, and their respective addresses, are as follows:

Edward Hamilton Doolin, Racine, Wis.; George Anthony Russ; Edward William Brady, Portland, Ore.; Chester Arthur Swafford, Terrell, Tex.; Samuel Wesley Metzger, Pueblo, Colo.; Thomas Wallace Brooks, Putnam, Conn.; Harton Ivey Booker, Greenville, S. C.; Edwin Barton Bobzien, Grants Pass, Ore.

Mr. THOMAS. More than 20 of these enlisted men stood the examinations of 1916 and have come into the service as officers. Does not this gratifying increase both justify the Secretary's prevision and assure to the Navy that certain increase of officers so much needed and which the Naval Academy can not wholly supply?

The Secretary, with the aid of Congress, has opened other doors of opportunity for the enlisted man. He has appointed and commissioned 15 of them as assistant paymasters in the Navy, first submitting them to examinations. All pay clerks are now by law taken from the ranks, and the Secretary has appointed 187 of them. Those opportunities are the legitimate parents of "efficiency." They make the Naval Service attractive and popular. The Secretary has well and wisely said that—

The bulkhead preventing a young man's advancement must be ended. We will never have an efficient Navy or a great Navy until we make it so that every young man who enlists in it knows that he can be an admiral if he has the brains and the application. We should continue this policy, enlarging opportunities as rapidly as the young men demonstrate their ability and capacity.

Yet the policy encounters the dogged and determined opposition of that caste which, crystallizing in official circles and extending beyond them, would exclude from its sacred inclosures all who do not enter it from above. Opening its doors to the multitude and giving admission to the enlisted man, thus giving him both official and social contact with its aristocratic and exclusive denizens, is profanation. And nothing in this world will evoke more bitterness, more animosity, and more vindictive opposition than assaults on class distinctions. Let us inquire how this spirit has manifested itself against the Secretary. I quote his own words:

I can understand the spirit of honest criticism, but I can not understand the violence that revels in the slime of a base un-American detraction. In order to enlist the best thought of the Nation in science and invention I asked Thomas A. Edison to serve as the head of an advisory board composed of two representatives from each of the 11 great engineering and scientific societies of the United States. Germany, France, and England place major reliance upon such boards and provide great laboratories for their use. Mr. Edison and his associates serve without salary, paying their own expenses; yet even this devotion has not been able to protect them against slander. It has been charged in open print that Mr. Edison and his associates have no higher motive than a mean hope of selling something to the Government.

It has been said repeatedly that I made an order for officers and men to mess together, and that I gave up the idea only when informed that black men and white might be brought together at the same table. There was never a more infamous falsehood. No such order was ever made or contemplated. Some snapshots were being taken on board ship, and as I had left my hat below, an officer loaned me his cap. I made some laughing remark about its shape, and this has been twisted into personal derision of the naval uniform. Once I spoke at a Young Men's Christian Association meeting of the men, and at its close I was asked to have my picture taken with two of the youngsters. It is this picture that has since been used to show my passion for posing as a friend of the bluejacket.

It is asserted that I have deprived the kin of an enlisted man of the customary death gratuity should he lose his life while on liberty. The law on this subject was passed in 1912, and states specifically that the only cause for withholding payment shall be when death is due to the misconduct of the deceased. We bought 8 searchlights from a German inventor and tendered him a second order of 12 more, at \$3,960 apiece, as set down in his bid. The manufacturers did not desire the contract, requesting a new award at \$5,200 apiece, but I awarded the contract to the inventor, who by reason of getting it, will be paid \$25,000 under his contract with the manufacturers. This transaction constitutes the base of the charge that the United States Navy robbed a stranger and took advantage of him. Nothing seems to be too low, too mean, or too vicious to be said, and the attacks do not stop at me, but soil Navy, Nation, and officials.

I do not care about these pettinesses as far as I personally am concerned, but I do resent the extension of this enmity to others. The people are asked to believe, for instance, that I appointed some inefficient underling to be Chief of the Bureau of Navigation. Victor Blue, the man attacked by inference, has his name in the Naval



Register with the notation "advanced for extraordinary heroism during the War with Spain." His daring expeditions to locate the Spanish Fleet at Santiago, however, were no less brilliant than his action in penetrating the Spanish gunboat blockade in an armed ship's boat, meeting Gen. Gomez, and then capturing two Spanish patrol sloops as he ran out of the harbor. He has filled every office on a modern man-of-war, served on Admiral Kempff's staff during the Philippine insurrection, and was a member of the first relief expedition which marched from the sea to Tientsin. After that he was chief of staff of the Pacific Fleet, was appointed by Secretary Meyer to the General Board, and it was there I found him.

I have been criticized also for refusing to permit naval officers to deliver public addresses and otherwise seek to influence legislation. This has been the unbroken policy of the Navy from time immemorial; and President Roosevelt, in 1902, and President Taft, in 1909, re-enforced the rule by Executive orders that established dismissal as a penalty for violation. But even while I did not make this regulation, I gave it the usual enforcement. Congress has called before it many officers of the Navy regarded as authorities, and the testimony of these gentlemen has been available to the press, and, to supplement publicity, I have made public the reports of the General Board. No one has been muzzled; simply the law has been enforced that forbids officers from running about the country for purposes of propaganda, a practice in which 99 per cent had no desire to indulge.

Mr. President, I know of no thing or direction in which the Navy is said to be deficient the responsibility for which has not been charged to the present Secretary. The records of the proceedings of our multitudinous leagues reveal this fact on every page. There was a time in the Civil War when Lincoln was damned even in the Halls of Congress for the misfortunes of the Army, for the failures of his commanders, and for the successes of the South. He was showered with every epithet not too scurrilous for public mention, and some even questioned his loyalty to the cause of the Union. But these libelers of the great American live in the memory only through the greatness of the man they so grossly reviled, while the task he undertook and successfully accomplished is a daily reminder of his imperishable renown.

I have no time to notice, much less to comment upon every feature of this campaign of slander. But its underlying cause is strikingly reflected in the incident of the photograph. The Secretary was asked and very naturally and properly consented to the taking of his picture with two enlisted men. The occasion was a meeting of the Young Men's Christian Association which the Secretary had attended and addressed. The picture has been circulated "to show his passion for posing as the friend of the bluejacket!"

This is a serious offense, indeed! What predecessor of Mr. Daniels ever thus condescended to express that friendship? What a shock to the pride of the official caste! How it must inspire that contempt of the bluejacket for his superiors, which familiarity so surely begets. Such an act is demoralizing. It is scandalous. What will the world say as it gazes upon the pleasant features of America's Naval Secretary between the equally pleasant faces of two smiling jackies? Discipline is gone. We may have battleships and submarines in plenty, but no Navy, if this species of fraternization shall go unrebuked. Mr. von Meyer would never have thus offended. The very thought of this perfectly groomed and exquisitely perfumed gentleman touching shoulders with an enlisted man, subjecting his shapely fingers and manicured nails to the contamination of a brawny handshake, is paralyzing. The traditions of the service were respected by such as he, while this vulgar iconoclast brushes them aside with cheerful unconcern. He has the audacity to treat the enlisted man as a fellow human being, even while on duty. Such a policy wrecks the most exacting naval traditions and will bring down the most carefully constructed system of official etiquette.

The Saturday Evening Post in its issue of June 5 contains a most interesting article from the pen of Mr. Henry Merrill Hitchcock, recently an ensign in the service. It is entitled "Men Wanted for the United States Navy," and everyone should read it. He endeavors to tell us why, although our ships are unsurpassed, the service is not as popular nor as complete as it should be and must become if we are to have a Navy that is genuinely American. Mr. Hitchcock says that it was American in the days of Stephen Decatur, but that, instead of glorying in the fact, it afterwards began to lose touch with the country it belongs to and has made itself into an imitation British institution by aping the aristocratic and ceremonious characteristics peculiar to it, thus steering "straight for trouble." He illustrates the result with these incidents:

Some years ago a certain officer in the United States Navy was captain and manager of his ship's baseball team. His pitcher was a youngster of 19, a big, rawboned, red-haired youth, with a world of speed, an untamed curve ball, and the rating of an ordinary seaman.

One day while the ship was lying in the navy yard the team played a game in which, after going along beautifully for seven innings, this young pitcher made a woeful error in the eighth and lost his game.

After the game the young pitcher and the young officer, both still in baseball uniforms, walked back to the ship together, the young officer talking to the enlisted man and trying to hearten him up. As they came over the gangway of the ship and the young ordinary seaman

turned to go forward the young officer gave him an encouraging farewell pat on the shoulder and himself went down to his stateroom.

But that little gesture had been witnessed by a horrified group of officers on the quarter-deck. The young officer was just pulling his shirt over his head when he heard a preeminent knock on his stateroom door. He opened it and found himself face to face with an older officer, who proceeded without loss of time to read him an impassioned discourse on the unspeakable, the heinous crime he had committed in putting his hands on an enlisted man.

Perhaps you think that was an extreme instance of its kind; but if it was, it was so because very few graduates of the Naval Academy would be capable of committing the terrible "faux pas" which called forth such unmeasured condemnation and not because the spirit that prompted the ensuing curtain lecture is rare.

Another time a young officer just out of the Naval Academy was put to standing watch on a battleship. With the officer on deck, on watch there also stands watch an enlisted man, the quartermaster, whose duties in port may be roughly described as those of general assistant to the officer of the deck. A capable and experienced quartermaster is a very valuable asset to a watch officer, particularly to a young one.

This particular youngster was fortunate enough to have an unusually capable and trustworthy quartermaster on watch with him; and being himself intelligent enough to recognize his own inexperience, and not too much impressed with his own importance to be capable of learning from a subordinate, he very soon found that he could safely turn to the quartermaster for advice in any small emergency with great benefit to all concerned.

Presently, however, the executive officer of that ship—that is to say, the second in command—came up on deck and observed the young watch officer in consultation with his trusty assistant. He promptly called the young officer to him and brought to his attention in forcible language the terrible injury to "discipline" and the derogation suffered by the dignity of the officer of the deck when that official was to be seen in public conversation with an enlisted man. In concluding his article, Mr. Hitchcock says:

"That is the kind of shop the Navy is in which to work. It is rather hard to imagine that so long as it remains that kind of shop, it is going to prove tremendously attractive to young Americans."

Such incidents are a libel upon democracy. The officers responsible for them dishonor the uniform of the service they wear. And it is not at all surprising that men capable of such wholly un-American conduct should bitterly resent the democracy of a Secretary who would stand between two ordinary seamen and be photographed with them. For they see in the act the beginning of the end of their miserable so-called system of "discipline"; a system which places a humiliating barrier between the cabin and the deck, exalting the inmates of the one to a place but little below the angels and depressing the occupants of the other to the level of the brute. Man and superman there may be, but in the hour of crisis the superman not only must direct the fire but man the guns as well. And Democracy militant must needs be democracy prevalent at sea as upon land. The Navy must have an esprit du corps large enough and liberal enough to comprise men as well as officers, or we may never hope for an effective and thoroughly dependable naval force.

Some weeks ago I read a most interesting description of the French Army, the greatest, because the most democratic, military organization on earth. The officers speak to their men and regard them as their "children." The men speak to their officers and regard them as "my commander." Off duty they commingle and converse together. On duty they frequently break their bread at the same camp table. Between commander and subordinate officer there is social equality and freedom of intercourse. These human relations do not impair discipline; on the contrary, they stimulate it. Between the man who orders and the man who obeys runs the warm current of affection, born of the principle of equality. And man follows officer, as officer leads man, into the jaws of death when country demands it, with a heroism and devotion having no parallel in the awful theater of the world's greatest war. Not until this principle shall have been crystallized into America's military and naval system, not until the social void which yawns between the officer and the private shall have been obliterated, not until these come together in the true spirit of friendly intercourse and companionship, not until the soldier becomes the object of the officer's personal solicitude, and the officer is the recipient of the soldier's unreserved confidence and affection, will we have a genuine Army and Navy—the true reflection of American policies and the fit defenders of American democracy. And not until the iron rules of caste, framed outside the law and wholly foreign to equality before the law, the parasite growth of imitation, shall have been swept aside will we have a maximum of American soldiers or seamen, however we may legislate or whatever inducements we may offer to enlistments.

This country is a democracy, but its Army and its Navy are not democratic. What father, under prevailing Army and Navy regulations and discipline, wants to see his boy enlist as a private in either? What young American of spirit and character will under existing conditions barter his spirit of independence and his sense of equality for a uniform which advertises his loss of both? Why do desertions so largely disfigure



the records of both? One answer can be found in the distance which separates the man from the officer, albeit between them there may be perfect equality of birth, of station, of accomplishments, and of intellectual capacity. The Secretary of the Navy, conscious of this most obvious fact, and anxious to minimize, if not to remove it entirely, has formulated a wise and necessary policy, and then proceeded to make it effective. And he has succeeded well. No injury has come either to men or to material. Those in command have been neither humbled nor shorn of authority. Desertions have decreased materially. The man below may now rise to the level of the man above. The man above will ere long extend the hand of aid and of friendship to the man below, and both will attain a higher and yet higher grade of efficiency through the natural respect and confidence thus engendered. The spirit of esteem and of emulation will supplant the spirit of discontent and the sense of injustice, and the personnel of the Navy, both officers and men, will make it invincible.

It is due to many officers of the American Navy, whose numbers are happily increasing, to say that they have no sympathy with, nor any wish to perpetuate, the caste system in the Navy. They realize that it is wholly alien to democracy; that it is a parasite of foreign growth; that it must be eliminated from the service. They have welcomed the reforms which the Secretary has initiated. They are giving him every support and every encouragement. These splendid Americans need no teacher to instruct them regarding the requirements for enlisting freemen in the public service and holding them to its ideals while discharging its duties. They know that preparation, in its last and best analysis, rests upon the stout heart, the quick eye, the skillful hand, and the impassioned loyalty of the private in the ranks. They constitute the Secretary's most powerful support, for they strive to make his efforts effectual.

Armor plate is perhaps the most expensive component of the modern battleship. This is so because the material is the result of several and difficult processes, and also because its production in the United States is limited to three concerns, nominally competitive, but practically a unit. Nitrates are the principal component of gunpowder, the natural deposit of which Chile has the monopoly; and the patents for its production are in private control. The stupendous profits in armor-plate manufacture largely explain the unbalanced character of our naval equipment and the disproportion between armored vessels and other craft.

A congressional investigation in 1894 revealed the rottenness of armor-plate conditions in the United States. Contractors with the Government for armor plate, and they were the same concerns that now monopolize the product, were convicted out of their own mouths, not only of furnishing an inferior and practically useless article to the Government, but also of selling their wares to foreign countries for an average of about half its cost to the United States. What better evidence of their extortionate profit is needed?

Nitrates have, due to increasing foreign demand, risen enormously in value, thus adding to our cost of powder, and compelling us to seek the only alternative source of supply. The Secretary of the Navy, in common with many Senators and Representatives of both the great parties, favors the construction of a Government plant for supplying itself with armor plate, and of a hydroelectric plant for the fixation of atmospheric nitrogen. Both propositions have found expression in the Senate bills providing for their establishment, both have passed in the House, as well, and both will soon be enacted into law. These have very naturally aroused the wrathful opposition of those great private interests, hitherto enjoying a monopoly of the one and looking forward to the enjoyment of an equally valuable monopoly of the other. This opposition has found expression through all the avenues so readily commanded by wealth and power, and has been aimed alike at Cabinet and Congress. The Secretary of the Navy, having with characteristic candor warmly advocated the equipment of these public institutions, and Congress having signified its approval of his views, other extensive manufacturers of other indispensable War and Navy matériel have very naturally, and very properly, apprehended similar invasions of their specialized spheres of public supply, and they, too, are shouting protests of disapproval against this last and, to them, most dangerous manifestation of "socialistic activity." In their view, Mr. Daniels, though by no means the only, is the most conspicuous sinner against the laws and the Constitution—therefore their denunciation.

When Demetrius, the silversmith, who made shrines for Diana, heard Paul persuade the people to turn away from gods which were made with human hands he called his fellow work-

men together and said to them: "Sirs, ye know that by this craft we have our wealth." And he cunningly concealed the real danger which he feared by reminding them that the temple of the great goddess Diana would be despised and her magnificence destroyed by the teachings of the apostle. Wherefore they were filled with wrath and cried out, saying, "Great is Diana of the Ephesians." And the hands and voices of the city were lifted against him.

It is not the real friends of the Navy nor its well-being which protests the Secretary's handiwork here, but the image makers and those of other craft who profit by the old régime—the inner circle of the select and the rigid conservatism which regards change as the synonym of destruction. These would stay his hand by crying out against him in the name of the Navy and undo his work by arousing the angry clamors of the multitude. But the Secretary, serene and self-contained, will persevere in the good work unto the very end, well knowing that it is even now receiving the sanction as it will hereafter command the generous approval of a wise and discriminating public opinion. The day of the purveyor for profit in war matériel has passed its zenith. The sun will soon cast its shadow to the eastward, surely lengthening as the hours go by. The dawn of a better day for the soldier and the seaman is at hand. As in France, officer and man will meet on common ground, each knowing and respecting his position, both stirred by the same impulses of duty and devotion to the Republic.

I shall not recount the many details of improvement which have come to the Navy under its present vigorous and efficient administration. That has been done, and by more competent hands than mine. These will continue so long as the Secretary remains in charge of its vast affairs. I am largely concerned with that indefensible and un-American propaganda of detraction and contumely launched against a worthy public servant, intent upon his duty and its effective discharge, a propaganda prompted partly by ignorance but in larger degree by unworthy and ignoble motives.

We have a great Navy; we shall have a greater one, unless all the signs of the times are meaningless; and it will be evolved on orderly, balanced, and efficient lines. It will be built not for conquest but for security. Its material structure, its human equipment, and its correlated portions will unite to make it the most efficient weapon of defense ever designed and constructed for the protection of an independent people. This end will be ordained and this purpose accomplished largely through the agency of Josephus Daniels and the subordinates now so cheerfully and so loyally sustaining him.

#### CONSTRUCTION OF BATTLESHIPS.

Mr. TILLMAN. Mr. President, the Senator from Alabama [Mr. BANKHEAD] is not here at this moment, and, as there is no morning business, I wish to make a request for unanimous consent.

Mr. President, yesterday I asked unanimous consent for the publication in the RECORD of the resolution I introduced on July 16, 1912, together with an article by Commander W. A. Moffett relating to the construction of 60,000-ton battleships. As Commander Moffett's article contained an illustration, the Senate referred all the matter to the Committee on Printing. The Senator from Florida [Mr. FLETCHER], chairman of that committee, reported a resolution for the printing of this manuscript as a Senate document, which was adopted.

I ask unanimous consent that the resolution in question and the article by Commander Moffett, without the illustration, may be printed in the RECORD in large type. I think the article will be more accessible to Senators in that way than in any other.

The PRESIDING OFFICER (Mr. WALSH in the chair). Is there objection to the request of the Senator from South Carolina?

Mr. SMOOT. It is to be printed without the illustration?

Mr. TILLMAN. There are no illustrations to go in the RECORD.

Mr. SMOOT. All right, Mr. President.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

RESOLUTION SUBMITTED BY SENATOR TILLMAN INSTRUCTING THE SENATE COMMITTEE ON NAVAL AFFAIRS TO INVESTIGATE AND REPORT TO THE SENATE AS TO THE SIZE OF BATTLESHIPS AND CRUISERS.

[Senate resolution 361, 62d Cong., 2d sess.]

IN THE SENATE OF THE UNITED STATES,

July 16, 1912.

Mr. TILLMAN submitted the following resolution, which was considered and agreed to:

"Resolved, That the Committee on Naval Affairs be, and it is hereby, instructed to investigate and report to the Senate what is the maximum size of ship, whether battleship or cruiser; the



maximum thickness of armor that such ship can safely carry; the maximum size of gun; the maximum speed and the maximum desirable radius of action of such vessel that can safely be built so as to navigate the ocean and enter the first-class harbors of the world; how much draft can such vessel carry in order to enter the existing dry docks in this country for repairs, and safely pass through the Panama Canal; the object being to find out from authentic and reliable official sources the maximum size and maximum draft, the maximum armament, and the maximum thickness of armor to make the very best battleship or cruiser that the world has ever seen or will ever see; to have this country own the greatest marine engine of war ever constructed or ever to be constructed under known conditions; and to report whether one such overpowering vessel would not in its judgment be better for this country to build than to continue by increasing taxation to spend the millions and millions of dollars now in prospect in the race for naval supremacy. Let such vessel be named the *Terror*, and become the peacemaker of the world. Let us find out just how far we can go with any degree of safety and go there at once. Let us leave some money in the Treasury for other more necessary and useful expenditures, such as good roads, controlling the floods in the Mississippi, draining swamp land in the South, and irrigating the arid land in the West."

"BUILD THE LIMIT."

[By Commander W. A. Moffett, United States Navy.]

"The history of modern battleship construction shows that their displacement has steadily increased. Our first battleship, represented by the *Oregon*, displaced 10,300 tons; the next, the *Kentucky* class, 11,500; the *Maine* class, 12,500; the *Georgia* class, 14,900; the *Connecticut* class, 16,000, etc., increasing at an average rate of about 1,000 tons a year.

"There has been constant endeavor to keep the displacement down, for obvious reasons, cost principally, of the individual ship; docking facilities, draft of harbors, as well as supposed, if imaginary, tactical advantages. The designers of each nation strive, on a given displacement, to outstrip all others in turning out the best all-round ship, but the inexorable limit of displacement has invariably resulted in compromises, each nation turning out what is considered best, sacrificing one element to another, speed to guns, endurance, armor protection, etc.

"There were, and are, schools in our own Navy as well as in others that opposed increasing displacement, but each year has seen displacement steadily increasing, none the less. The first radical increase came with the *Dreadnought* from 16,000 to 20,000 tons. Up to this time the constructors of the world, including our own, fondly imagined that the standard type of battleship had been reached in a ship of about 16,000 tons, 18 knots speed, main battery of four 12-inch guns, in two center-line turrets, intermediate battery of 6-inch guns, and 3-inch guns for torpedo defense, represented by our *Connecticut*. They were aroused from their false security by the thinking, practical men of the British Navy, who brought forward the epoch-making *Dreadnought*, making a bold increase of 4,000 tons in displacement and 2 knots in speed. Our own Navy had an inspiration about this time and our designers gave us the *South Carolina* class, all big-gun ships and turrets on midship line—notable above all else for this last-named feature, which was ultimately followed by all other designers.

"The *Dreadnought* immediately scrapped all other battleships, in the British as well as in all other navies. This is where Great Britain's rivals, especially Germany, had their great opportunity. They should have promptly scrapped their old ships and spent all their available money for battleships that would outbuild the *Dreadnought*. We did, in a half-hearted way, and have continued to do so since, but not boldly. We are, and have been, too conservative. We have, since the *Dreadnought*, and like all other nations, steadily increased the displacement, and in the last few years have actually had the courage to go beyond Great Britain in displacement, so that we have the *Pennsylvania* class, actually larger by 4,000 tons than the latest ship by the British, and it is reported in the newspapers that the General Board has even recommended ships as large as 36,000 tons.

"England's reasons for not wishing to increase the displacement of her battleships beyond what it is are obvious enough. She had a bad scare after the *Dreadnought*'s design became public, and found Germany laying down many ships of equal and larger displacement, and she lost no time in outbuilding her in numbers in these then large ships. She does not want this experience duplicated. She has the largest navy in the world, and realizes that it is a practicable impossibility for any other nation to catch up with her as long as they confine themselves to ships of the same size as her own.

"On account of cost, docking, draft of harbors, and other supposed good reasons, as well as the long-exploded and farmer-like argument of 'too many eggs in one basket,' the designers of all navies have attempted to keep down the displacement and to crowd into the limited displacement the maximum of elements that go to make an efficient battleship. But one element or another has always had to be sacrificed, and to date this has been principally speed. As a rule the caliber of the guns of the main battery, especially since the all-big-gun battleship idea, has been near the limit of the mechanical arts at the time; also the amount of armor protection has not been sacrificed. The consumption of displacement for speed increased in such a rapid ratio that designers all gave pause and stopped near 21 or 22 knots. However, the yearning to get speed would not down and resulted in the battle cruiser, where armor and the number of guns were sacrificed to speed. But the inexorable demand for the battleship possessing all desirable elements steadily increases, resulting in increased displacement, except in the case of Great Britain, whose reasons against it are well taken—from her standpoint.

"Why not take a lesson from history and frankly decide what we want, what characteristics a battleship should have, what speed, endurance, battery, armor, etc., it should have, and then build it regardless of displacement? Is it not fair to assume, nay, is it not certain, that if battleships' displacement has increased from 10,000 tons in 1896 to 32,000 tons in 1916 that it will continue to do so until the limit is reached? Why not go the limit at once? By so doing we scrap the battleships of every navy in the world, and by spending the money we would spend on smaller ships we build a smaller number of vessels, but the most powerful fleet in the world.

"Other navies would have to follow our example and build ships like ours or give up the competition. We could stand the cost better than any other nation. It is therefore an advantage to us to make navies cost as much as possible. We have more money than any other nation and will have more, comparatively, at the close of the war, when most of them will be bankrupt. It is therefore to our advantage to make individual ships cost more.

"The limit for us in the size of battleships is the Panama Canal locks. It is also the limit for any power that might go to war against us, for none would sacrifice the advantage of being able to send its fleet through the canal. The limit, therefore, of displacement for our battleships is within 1,000 feet in length and 110 feet in beam, the dimensions of the Panama Canal locks. Let us therefore go the limit at once, while we have the opportunity to do it, ahead of all our rivals, and build the limit at the same time in everything; that is to say, in speed, caliber of guns, endurance, fuel, ammunition, etc.

"In regard to speed, some may urge that the highest practicable speed is unnecessarily high. Not long ago 16 knots in battleships was considered ample and 26 knots in destroyers. Now 21 knots is the minimum for battleships and 30 knots for destroyers and battle cruisers. Why not go as high as the mechanical arts will permit?

"Go the limit, too, in caliber of guns. It is said, 'Build a gun no larger in caliber than necessary.' But who can say what is 'necessary'? Only a few years ago the 12-inch gun was amply 'necessary' in the opinion of most people. To-day the 15-inch gun does not seem to be large enough, and even we are contemplating putting 16-inch guns on our battleships. The newspapers report 17-inch guns going on German ships. Fourteen or sixteen inch guns may be as large as 'necessary,' but who, being engaged with an enemy equal in other respects, would not prefer to have a battery with larger caliber than one's adversary? And if you had also superior speed, how much greater the advantage.

"One great but seldom mentioned advantage of the large ship, as compared with the smaller, is as a gun platform, especially at high speed and in a rough sea. At 18 knots in a moderate sea the 16,000-ton ship can hardly fire her turret guns, and she rolls and pitches to such an extent that her chances of hitting are small. The 27,000-ton ship is, under the same conditions and even at higher speed, comparatively steady, and her guns can be fired more effectively. But the 60,000-ton ship will hardly know she is at sea, and while her 27,000-ton rivals are trying to get the range and fire on the roll she will be as steady as a church and as regularly making salvo hits.

"Finally, but for us of greatest importance, the political side. The average American, the man in the street, may be ignorant of naval affairs, but one thing every American wants and knows he wants; that is, to see his country first. For years he has believed she was first in everything. Recently he has had a rude awakening, at least as far as the Navy is concerned. But



still, each in his heart feels that our Navy should be first and hopes that in some way it may be made so.

"There is but one way, and that is by building the limit in size of battleships. Build a smaller number if Congress will not give us what the Navy asks for—even one-half the number as would be built of 32,000 or 36,000 tons. In this way we will scrap England's Navy, as well as all others. In no other way can we ever hope to have the first navy in the world—in no other way can we hope to overtake Great Britain. Money is force if properly and wisely used. We have more money than any other nation, and therefore more force. Let us use it. We can afford it. No other nation can.

"Build the limit in displacement, in speed, in caliber of guns, with proper proportion of fuel and ammunition endurance, etc., and we will have, indeed, the first real superdreadnaught, of approximately the following dimensions:

Length over all	feet	955
Length between perpendiculars	do	975
Beam	do	105
Draft	do	32
Speed, maximum	knots	35-36
Endurance at maximum speed	hours	72
Estimated horsepower		250,000
Total displacement	tons	60,000

#### "Battery:

Ten 18-inch B. L. R.  
Sixteen 6-inch K. F. G.  
Antiaircraft guns.  
Antisubmarine guns.  
Saluting battery, etc.  
Four submerged torpedo tubes.

"Can anyone doubt that a fleet of such ships would incomparably better defend our coast and more quickly seek out and smash the enemy's fleet than any number of smaller ships?"

#### POST OFFICE APPROPRIATIONS.

Mr. BANKHEAD. Let the unfinished business be laid before the Senate.

The PRESIDING OFFICER. It is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes.

The PRESIDING OFFICER. The pending amendment of the Committee on Post Offices and Post Roads will be stated.

The SECRETARY. The pending amendment is on page 32, beginning in line 4, after the words "And provided further," to strike out down to and including the words "vehicle route," in line 9, and to insert certain words printed in the bill.

Mr. SMOOT. Mr. President, there are a number of Senators who desire to speak upon this matter and they are not in the Chamber. I suppose they did not think the speech of the Senator from Colorado would be concluded so quickly. I suggest the absence of a quorum in order that they may be present.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Husting	Newlands	Smith, Ga.
Bankhead	James	Norris	Smith, Md.
Brandegge	Johnson, Me.	Oliver	Smoot
Broussard	Johnson, S. Dak.	Page	Sterling
Bryan	Jones	Phelan	Swanson
Clapp	Kern	Pittman	Thompson
Culberson	La Follette	Poindexter	Townsend
Curtis	Lane	Ransdell	Vardaman
Dillingham	Lee, Md.	Saulsbury	Walsh
Gallinger	Lewis	Shafroth	Warren
Gore	McLean	Sheppard	Weeks
Harding	Martin, Va.	Sherman	Williams
Hardwick	Martine, N. J.	Shields	Works
Hollis	Myers	Simmons	

Mr. MARTINE of New Jersey. I rise to announce the absence of the Senator from West Virginia [Mr. CHILTON] on important public business.

Mr. ASHURST. I wish to announce that my colleague [Mr. SMITH of Arizona] is detained from the Senate by reason of illness in his family.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present. The question is on agreeing to the amendment of the committee as amended.

Mr. KERN. I ask that the amendment be read.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 32, beginning with line 4, after the words "And provided further," the committee proposes to strike out the words—

That no part of the money herein appropriated for Rural Delivery Service shall be used to cover any expense upon any motor-vehicle route until a majority of the patrons to be served by such motor-vehicle route shall by written petition ask the Post Office Department to establish such motor-vehicle route.

And to insert:

That rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States. Hereafter all rural mail-delivery routes shall be divided into two classes, to be known as—

Standard horse-drawn vehicle routes, which shall be 24 miles in length, and

Standard motor-vehicle routes, which shall be 50 miles in length, and shall only be established upon certificate of the duly qualified county road officials that the character of the roads proposed to be used, as well as climatic conditions, will warrant regular and practically uninterrupted service throughout the year.

Nothing herein contained shall be construed to prohibit the establishment of horse-drawn vehicle routes of less length than the standard of 24 miles: *Provided*, That it in extraordinary cases, in order to render more complete service, it should be necessary to do so, the Postmaster General is hereby authorized to increase the length of routes not to exceed 50 per cent above the standards herein prescribed; and in such cases the compensation of the carrier on such route shall be increased above the maximum pay heretofore fixed by law for rural carriers at the rate of \$24 per annum for each mile of said routes in excess of 30 miles for horse-drawn vehicle routes, and any major fraction of a mile shall be counted as a mile: *Provided further*, That carriers in rural mail-delivery service shall furnish and maintain at their own expense all necessary vehicle equipment for prompt handling of the mail: *And provided further*, That nothing herein shall be construed, and no order shall be issued, to prevent the use of motor vehicles on horse-drawn vehicle routes: *And provided further*, That the Postmaster General may, in his discretion, allow and pay additional compensation to rural letter carriers who are required to carry pouch mail to intermediate post-offices or for intersecting loop routes in all cases where it appears that the carriage of such pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him, such compensation not to exceed the sum of \$12 per annum for each mile such carrier is required to carry such pouch or pouches.

The Postmaster General is hereby authorized and directed to reorganize and readjust existing rural mail-delivery service where necessary to conform to the standards herein prescribed: *Provided*, That in making appointments of rural carriers for service on new routes which may be created by the reorganization herein ordered preference shall be given to carriers who were formerly employed in Rural Delivery Service and who were separated therefrom on or after June 30, 1915, by reason of any previous reorganization of the service and without charges against them: *And provided further*, That the Postmaster General is authorized and directed to pay, out of the appropriations already made and still available and unexpended for Rural Free Delivery Service for the fiscal year ending June 30, 1915, to all letter carriers in the Rural Free Delivery Service during the fiscal year ending June 30, 1915, their executors or administrators, the difference between what they received for their said services and the amount that would have been paid to them in accordance with the proviso contained in joint resolution making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, approved March 4, 1915.

Mr. BRYAN. The last proviso is not involved now.

The PRESIDING OFFICER. It is all one amendment.

Mr. BRYAN. From line 5, on page 34.

Mr. HARDWICK. The Senator from Florida reserved a point of order on the proviso.

Mr. BRYAN. The Chair ruled yesterday that that part of it would not be involved on the first vote to be taken.

The PRESIDING OFFICER. The Chair inquires of the Senator from Florida whether it is not a fact that the whole text constitutes one amendment, notwithstanding?

Mr. BRYAN. I do not think so. In order to obviate that, then, Mr. President, I raise the point of order on the matter, beginning with the proviso on line 5, page 34.

Mr. HARDWICK. Mr. President, for the convenience of the Senate and to expedite matters, I desire to ask unanimous consent that we dispose of the amendment, except the part referred to by the Senator from Florida. That was practically what we agreed upon yesterday.

The PRESIDING OFFICER. The Chair desires to inquire whether that would not be a division of the question?

Mr. HARDWICK. In other words, that is a division of the amendment.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that the question be considered as divided, that part of it prior to the proviso on line 5, page 34, being one question, and that commencing with the words "And provided further," on line 5, page 34, being the other question. Is there objection?

Mr. POINDEXTER. I object.

Mr. BRYAN. Then, Mr. President, I must raise the point of order on the proviso. I rely on the third and fourth paragraphs of Rule XVI of the Senate. The third paragraph provides that—

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

This portion of the committee amendment it seems to me is without question undoubtedly covered by that paragraph. It does not relate in any degree to the text of the House bill. This is an attempt to require the Postmaster General to make a payment for what it is claimed is a moral obligation of the Post Office Department. Paragraph 3 of Rule XVI proceeds:

Nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.



Passing from paragraph 3 to paragraph 4, paragraph 4 provides in substance that no amendment the object of which is to provide for a private claim shall be considered.

This portion of the committee amendment refers to the claims of individual rural-mail carriers against the Government of the United States. In the Post Office appropriation bill for the fiscal year ending June 30, 1915, the Postmaster General was authorized to pay not exceeding \$1,200 to each carrier. He paid, as he had a right to do under that provision, less than \$1,200 to some carriers. It is now attempted by this amendment to impose these private claims upon this appropriation bill. Of course, that can be done if it is to carry out the provisions of an existing law; but there is no existing law requiring that payment and no report of a committee; and no estimate of the head of a department could make this amendment in order if it is objected to under the fourth paragraph of Rule XVI of the Senate Rules. So, under both paragraphs, this amendment is clearly vulnerable.

Mr. President, I raised this same objection when the last Post Office appropriation bill was being considered, and the point of order was sustained by the Vice President. I do not suppose that the committee or members of the committee will argue here this morning that the amendment is not subject to the point of order.

Mr. HARDWICK. Mr. President, the committee thinks that the point of order raised by the Senator from Florida is not good, on three grounds. The provision against which the Senator directs his point of order is part of the committee amendment to the paragraph beginning on line 21, page 31, which provides for the pay of rural carriers and substitutes for rural carriers, their annual leave, and so forth, and provides the round sum of \$53,000,000 for that pay.

In connection with that proposition, the House of Representatives undertook to change, and did change, existing law by the insertion of the paragraph which your committee struck out, beginning on line 4, on page 32, as follows:

That no part of the money herein appropriated for rural-delivery service shall be used to cover any expense upon any motor vehicle route until a majority of the patrons to be served by such motor-vehicle route shall by written petition ask the Post Office Department to establish such motor-vehicle route.

The Senate committee, striking out the provision of the House bill, undertook to deal with the subject matter, and in dealing with the subject matter did so under the unbroken practice of this body, on the theory and with the idea that we had full liberty to deal with it in any way that the Senate and its committee thought best; that the subject matter being open, being before the Senate because of the text of the House bill to which the Senate rule could not be applied, the Senate had full freedom of action in dealing with the entire question. On yesterday, as I understand, that view was substantially sustained in this body, although no direct ruling was made by the Vice President on the question, the Senator from Florida finally withdrawing his point of order.

Mr. BRYAN. Mr. President, the Senator from Georgia does not want to put me in that attitude. I withdrew the point of order for this reason—

Mr. HARDWICK. Just a moment, and I will yield to the Senator.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Florida?

Mr. HARDWICK. Not just for the present. I will yield to the Senator in one minute. I do not want to put the Senator from Florida in any attitude that is not right. The Senator from Florida on yesterday urged the view which he has now urged; but finally, after argument and after the statement of the Vice President that it was impossible for him to construe this language and to decide whether or not it was a change in existing law, Senators disagreeing on that question, he felt it to be his duty to submit the question to the Senate, the Senator from Florida finally did withdraw the point of order. Now, I yield to the Senator from Florida. If I have misstated his position, I am sorry.

Mr. BRYAN. That is the fact. I did not withdraw the point of order because I did not think the point of order was good, but I withdrew the point of order because if the Senate wanted to insert the matter the Senate could do it, and the Senate by the same vote could decline to adopt the committee amendment as in voting on the point of order.

Another reason, I am frank to say, is that very frequently, in voting on the question of whether or not a point of order is germane, Senators upon coming into the Senate vote their convictions on the proposition involved instead of on the rules of the Senate; and I did not want to have set another precedent of that kind.

Mr. HARDWICK. Mr. President, I understood that was the Senator's motive, and I did not want to represent it or him incorrectly. I am sorry if I conveyed that impression even to him; but the fact is that the Senator, after making the point of order on the remainder of the paragraph, thought it wisest to withdraw it.

The committee insists to-day, just as it did yesterday to the Vice President, that the House, having taken this matter up and having eliminated it from the operations of Rule XVI, any substitute that the Senate committee or the Senate itself may care to adopt is before this body for full, unimpeded action by the Senate. It would be preposterous, I think, to say that we are bound to the mere limits of the exact proposition submitted by the House, and that we can only say "yes" or "no" to the exact and precise proposition submitted by the House of Representatives. We therefore urge that view against the point of order submitted by the Senator from Florida.

The Senator from Florida invokes section 3 and section 4 of Rule XVI against this particular part of the amendment, the part beginning with line 5 on page 34. First, the Senator from Florida says it is obnoxious to the rule, because it is general legislation in connection with an appropriation bill; and, second, the Senator from Florida says that it is obnoxious to section 4 of the rule, because it provides for the payment of a private claim on a general appropriation bill. In addition to the response already made the committee submits the following as an answer to the argument of the Senator from Florida: In the first place, the proposition contained in the language against which the Senator from Florida makes his point of order is not new legislation; on the contrary, it is legislation which has been twice passed by the Congress of the United States, once under the Post Office appropriation bill for the fiscal year ending June 30, 1915, and, second, under the joint resolution making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916. In other words, we say that we have inserted the provisions of two recent acts of Congress, and that, instead of being in violation of existing law, we have inserted the provisions of existing law.

We contend, too, Mr. President, that it is in no sense a private claim; that this provision simply provides for the payment of salaries due public officers for public services—not claims they have, but amounts due them under the plain, express provisions of existing law.

The Senator from Florida says that a year ago this point of order was sustained. It was; I have the RECORD before me, and the RECORD discloses a remarkable state of facts. This point of order was sustained then on a thorough misapprehension of what the facts were about this matter. Of course I do not think it was the fault of the Senator from Florida any more than it was the fault of one or two other Senators who participated in the debate.

The CONGRESSIONAL RECORD of February 24, 1915, shows that the Senator from Florida made this precise point of order, and that he suggested that it involve an additional appropriation of \$3,000,000, or, at any rate, would create a deficit, as he put it—and it amounts to the same thing—of \$3,000,000 in the operations of the Post Office Department. That was pretty generally consented to by several Senators who participated in the debate. For instance, the Vice President said—I will read to you just the conclusion—

The VICE PRESIDENT. Let us understand where we are. Will this amendment increase the appropriation?

Mr. BRYAN. It will.

Mr. SMITH of Georgia. It will increase it \$3,000,000.

My colleague, it will be seen, interjected a statement that it would increase the appropriation by \$3,000,000.

The VICE PRESIDENT. Has it been estimated for? [A pause.]

Evidently, no reply being made, the Chair then said:

The Chair sustains the point of order.

The point I make is that the Chair acted a year ago under a misapprehension of what the facts were. This amendment involves no additional appropriation; it involves no additional expenditure.

In section 211 of the Revised Statutes, codified in the Postal Laws and Regulations, this provision is contained:

SEC. 211. \* \* \* The Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury. \* \* \*

2. \* \* \* And it shall be the duty of the several accounting officers of the Treasury to continue to receive, examine, and consider the justice and validity of all claims under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of said section (act June 20, 1874, supra), that may be brought before them within a period of five years. \* \*



The fact is, as your committee discovered upon inquiry from the auditor for the department, that this fund—the million and a half that it would require, in round numbers, to pay this money already appropriated by two acts of Congress—is still in the Treasury to the credit of the Post Office Department and to the credit of this particular fund. It will involve no appropriation whatever, and therefore the theory on which the Vice President sustained the point of order a year ago is wrong in point of fact. We are simply reappropriating, according to existing law and the precise terms of existing law, money already in the Treasury and to the credit of this fund. It will involve neither a deficit nor an additional appropriation. The money is already there; and it is apparent, from even a casual examination of the Record, that the Vice President a year ago, in sustaining the point of order, did so on the ground that it was an increase of appropriation for which no estimate had been made.

We say on all three grounds that the point of order of the Senator from Florida is not good:

First, that the House of Representatives, having undertaken to deal with this matter in a legislative way, the Senate has a full, free right to deal with this same question and the various branches of it in whatever way seems best to the Senate, and that the limitations under which it can deal with it are not such as are fixed by the ordinary rules of the Senate, because to the text of the House bill the ordinary rules of the Senate can not be applied.

We say, in the second place, that instead of its being in violation of existing law or instead of its being the enactment of a general law, it is simply the carrying out of existing law as twice passed by this Congress.

We say, in the third place, that there is no increase of appropriation; that the money is there in the Treasury, unexpended, to the credit of this particular fund.

We believe that for all these reasons the point of order urged by the Senator from Florida is not good.

Mr. SMOOT. Mr. President, may I ask the Senator a question?

Mr. HARDWICK. Certainly.

Mr. SMOOT. Does the Senator know when the appropriation of which he speaks was made?

Mr. HARDWICK. Yes, sir; June 30, 1915.

Mr. SMOOT. That is, for the fiscal year ending June 30, 1915.

Mr. HARDWICK. Then in 1916, as the Senator remembers, a resolution was passed on the same subject; but it was originally appropriated by the Post Office appropriation bill for the fiscal year ending June 30, 1915.

Mr. SMOOT. Unless the appropriation was extended by legislation there is no available money in the Treasury of the United States to pay rural carriers, as the appropriation lapsed on June 30, 1915.

Mr. HARDWICK. It will be June 30, 1917, before the two years are up.

Mr. SMOOT. It is not a question of two years; it is a question of each fiscal year.

Mr. HARDWICK. Was the Senator in the Chamber just now when I read from the Revised Statutes on that question? For two years it remains in the Treasury subject to these appropriations made and for five years subject to reappropriation for this very purpose. Was the Senator here when I read section 211 of the Revised Statutes?

Mr. SMOOT. No; I did not hear the Senator read the Revised Statutes.

Mr. HARDWICK. Will the Senator, then, if he has any doubt on this question, read that section? That is what we base our contention on. Besides, the information of the auditor for the department is that the money is there to the credit of this particular fund. We inquired into that.

Mr. SMOOT. My thought was this: Appropriations are generally made for the fiscal years ending June 30.

Mr. HARDWICK. Yes.

Mr. SMOOT. And if, in the appropriation bill, it is not specifically stated that hereafter an appropriation is made it is not a permanent appropriation and lapses at the end of the fiscal year.

Mr. HARDWICK. Not a permanent appropriation.

Mr. SMOOT. What I wanted to know of the Senator was whether this particular appropriation stated that hereafter the amount named would be appropriated for this purpose, or was it a simple appropriation for the fiscal year of June 30, 1915?

Mr. HARDWICK. Just an appropriation for the pay of the carriers for that fiscal year. Let me call the attention of the Senator to the language in section 211 of the Revised Statutes:

The Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treas-

ury for two fiscal years to be carried to the surplus fund and covered into the Treasury. \* \* \* and it shall be the duty of the several accounting officers of the Treasury to continue to receive, examine, and consider the Justice and validity of all claims under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of said section that may be brought before them within a period of five years.

Mr. SMOOT. I am fully aware of that act, Mr. President; but this is what I was calling attention to: If the appropriation was made for the fiscal year ending June 30, 1915, the Auditor of the Treasury can not pay out any part of that money now after June 30, 1915, without a special act of Congress. Therefore I wanted the Senator to be positive as to whether it was an appropriation made after June 30, 1915.

Mr. HARDWICK. Let me read section 210, and see if that throws any additional light on the question. Section 210 of the Revised Statutes provides that—

All balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year—

That is what the Senator has in mind?

Mr. SMOOT. Yes.

Mr. HARDWICK (reading)—

shall only be applied to the payment of expenses properly incurred during that year or to the fulfillment of contracts properly made within that year.

That is the provision on which we rely. We say we are appropriating money not for this year but for that very year—that fiscal year—for which the act of Congress referred to made provision.

Mr. SMOOT. I think the Senator is wrong in that conclusion. I have been on the Appropriations Committee for a good many years, and I know when an appropriation is made, for instance, for a State fish hatchery, we will say, and is made for the fiscal year only, it sometimes happens that the Government of the United States can not secure the title to the land, and the end of the fiscal year passes without the expenditure of the money or without a contract being entered into for the purchase of land. Now, that appropriation lapses after June 30 of that year. It can not be utilized in any way in the future unless by a special act of Congress.

Mr. HARDWICK. Well, now, let us see.

Mr. SMOOT. I am positive of it, as I have had a similar case.

Mr. HARDWICK. Will the Senator yield to me for just a minute?

Mr. SMOOT. Certainly.

Mr. HARDWICK. I am yielding to him, but I want to interrupt him for just a minute.

Mr. SMOOT. Very well.

Mr. HARDWICK. Would it not be true, however—the language of both of the sections of the Revised Statutes suggests such an idea, to my mind, and certainly the auditor for the department thinks the money is there to the credit of this fund and not in the General Treasury balance, because he so informed the committee—would it not be true, however, that for the precise purposes of the act, for the payment of the carriers who served during that very fiscal year for which provision was made in the act to which I refer, up to the period of time stated in these two sections that money would be available?

Mr. SMOOT. Of course, I can not say until I look at the original act; but if the appropriation was made directly for the purpose named and was for the fiscal year ending June 30, 1915, and the amount of money had not been paid out before the close of that fiscal year, and the appropriation bill for the year ending June 30, 1916, did not reenact the appropriation, then I say that it would be impossible for the auditor to pay out the money for any purpose without further legislation.

Mr. HARDWICK. Well, now, let us see. It might be without authority from Congress; but the giving of such authority would not amount to a new appropriation, because under the two sections of the Revised Statutes to which I direct the attention of the Chair and of the Senate it is kept a certain length of time for the very purpose of meeting claims that are embraced within the very letter and terms of the laws; and that is what has been done in this case.

Mr. SMOOT. Yes; but the Senator must admit that, even under that statute, the money, if it was appropriated for any specific year without the word "hereafter" being used in the original appropriation, could not be paid out by the auditor unless there was a specific item in an appropriation bill carrying that same amount.

Mr. HARDWICK. After all, that is more or less technical. It is not a new appropriation—I mean not such within the meaning of the rule invoked by the Senator from Florida.



Mr. SMOOT. No; it is not a new appropriation; but it is an appropriation of money to be paid out of the Treasury of the United States during this fiscal year.

Mr. HARDWICK. That is true, I think; but at the same time, Mr. President, that does not make any difference, according to my view of what this rule means. It is not a new expenditure of the Government. It is not an expenditure that is not already authorized by a law that the Congress has already passed. It is merely a reauthorization for money to be spent under an appropriation already made and in the way that Congress intended that it should be spent. That is the view of the committee, and I think that is the plain meaning of the two sections of the Revised Statutes to which I refer.

Mr. BRYAN. Mr. President, the first objection raised by the Senator from Georgia to the point of order is that the amendment relates to a provision for the pay of rural carriers. But, Mr. President, the House bill relates, and the whole bill relates, to appropriations for the Post Office Department for the fiscal year 1917, not 1915. That is the trouble with the Senator's first objection. He lays down the proposition that in an appropriation bill for the fiscal year 1917 you may offer an amendment relating to debts of this Government for the year 1915.

The second objection of the Senator from Georgia is equally untenable. He undertakes to say that unless the Senate can put any sort of legislation upon an appropriation bill, it has less power than the House. Stated differently, he lays down the proposition that if you strike out a part of the text of the House bill you may substitute for it any legislation, related to it or not. To prevent that is the very reason why the Senate adopted paragraph 3 of Rule XVI:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

Here is an appropriation to pay rural carriers for 1917, and the committee offer an amendment to pay a claim which they assert originated in 1915. How do they justify that? Not by the rules of the Senate, but in violation of the rules of the Senate. Not by the language of the law of 1915 or 1916—not at all. That language authorized the Postmaster General to pay to rural carriers not exceeding \$1,200. He graded their salaries between \$1,100 and \$1,200, according to whether or not the additional burden of the parcel post justified that expenditure, inasmuch as it was claimed that the Parcel Post System would make the work more burdensome upon the rural carriers. But neither the Senator from Georgia nor anybody else can say that the Postmaster General was not within his rights when he did that. The mere fact that this amendment is offered shows that he was within his rights.

It is immaterial how much money is involved. It is a mere estimate, after all. It was stated a year ago that \$3,000,000 was involved, and the amicus curiæ of the committee, Mr. Brown—an agent here for the rural carriers of the country, who tried to get out of them 25 cents apiece in order to file their claims before the Claims Committee of the Senate—said it amounts to \$3,200,000. That is the second objection.

The third objection I have already referred to. Then I call the Chair's attention back to paragraph 4 of Rule XVI:

No amendment the object of which is to provide for a private claim shall be received to any general appropriation bill.

Now, are these claims private claims? They are not claims which these men can enforce against the Government by law.

If the Postmaster General refused to pay them something to which they were entitled, they could go into the Court of Claims and enforce the payment of it.

As a last resort the Senator from Georgia lays down the proposition that the money remains there for five years—money appropriated for the fiscal year 1915. Mr. President, I do not believe that that is a correct statement of conditions. I think it is true that the money appropriated for the fiscal year 1915 would not revert to the Treasury if there was any legitimate claim upon it originating during the year 1915; but there was no legal claim against the department. Now they are trying to make a gift of a million and a half or three million dollars to men who can not go into any court and assert their claim to the money and maintain it, and it is being done on an appropriation bill; and that is the very purpose of the inclusion in the Senate rules of the various paragraphs of Rule XVI.

That is all I have to say about it. This thing has been tried before and has failed. It is true that a year ago it was so plain that nobody contended against the point of order. Now it is sought by all devices to justify this committee in placing a private claim or a number of private claims in an appropriation bill.

The PRESIDING OFFICER. The Chair understands that, inasmuch as an objection has been made to the division of the

question, the point of order stands as a point of order against the entire amendment by reason of the frailty in the particular clause to which the Senator has directed attention.

Mr. BRYAN. Mr. President, would I not have a right to make a point of order against this particular part of it?

The PRESIDING OFFICER. The present occupant of the chair does not so understand the rule. The present occupant of the chair understands that no point of order can be made against a part of an amendment. The point of order must be made against the amendment.

Mr. BRYAN. Then I make it against the whole amendment; but I suggest—

The PRESIDING OFFICER. The Chair submits to the Senate the point of order made by the Senator from Florida.

Mr. SMOOT. Mr. President—

Mr. BRYAN. Let me prefer a unanimous request, then. I have never understood that to be the rule here. I ask unanimous consent that the Chair be allowed to pass on the point of order raised as to the last proviso in this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. POINDEXTER. I object.

The PRESIDING OFFICER. Objection is made.

Mr. BRYAN. Mr. President, that puts us in a remarkable position. You can have a part of an amendment that is unobjectionable and a part that is subject to a point of order, and the whole thing stands or falls together. I have never understood that to be the rule.

The PRESIDING OFFICER. The Chair would be very glad to be corrected if his opinion is wrong, but it appears to him that the language of the rule is perfectly plain, that a point of order must be directed against an amendment. Only one amendment is here proposed.

Mr. SMOOT. Mr. President, I think the Chair is perfectly correct in ruling on the latter point. I am in sympathy with the payment of these rural carriers as provided for in the last proviso, and I am in sympathy also with the amendment offered by the committee, but I am quite sure that if the amendment passes in the form it is now it would be impossible for the comptroller to pass upon the claims and pay the rural carriers under the provisions of the amendment.

There is no question but that every unexpended balance of an appropriation made by Congress has to be reappropriated before it can be used. The amount must be reappropriated before the Treasury of the United States can pay it out. We are not doing that in this amendment, and if we pass the amendment there will be a disappointment. I would rather see the chairman—

Mr. HARDWICK. Will the Senator yield to me for a moment?

Mr. SMOOT. I will yield in just a moment. I would rather see the chairman of the committee withdraw the last proviso and act upon the forepart of the amendment, and then let the Senate take care of an appropriation for the rural carriers in the next deficiency appropriation bill.

Mr. HARDWICK. Let me just ask this question. I understand that there is force in some of his objections. Would this language make it any better, in the Senator's mind, to substitute for the part the Senator from Florida is particularly directing his attention to—

That the unexpended balance, or so much thereof as may be necessary, appropriated for the pay of rural carriers for the fiscal year ended June 30, 1915, is hereby reappropriated.

Mr. SMOOT. I think that added to the proviso would greatly strengthen it, and I think that more than likely it would authorize the payment of the unexpended balance. I think if we are going to act the suggested amendment should be added.

Mr. HARDWICK. I will move to add it to the proviso.

Mr. SMOOT. The Senator means, to add the words the Senator has just read.

Mr. HARDWICK. Adding them at the end of line 18.

Mr. SMOOT. That is as I understand it.

Mr. HARDWICK. Would not that cure the objection the Senator has in mind?

Mr. SMOOT. It cures it, because I think that it would authorize the payment of the unexpended balance, and I do not believe we ought to pass any legislation when we know that balance can not be paid under it.

Mr. HARDWICK. In order to obviate the difficulty the Senator has about a dangerous precedent, and that doubtless many other Senators here might have on both sides of the Chamber, we will offer that as soon as we get through with this proposition, That will cure it, I am sure.

Mr. SMOOT. Then I have no further objection.



Mr. BRYAN. Then let us have it in the entirety, and I raise the point of order against the whole of the amendment. It is clear that this part of it is subject to a point of order.

Mr. POINDEXTER. Mr. President, I wish to make one remark upon the point of order. The entire argument of the Senator from Florida, of course, is based upon the assumption that we are dealing only with a general appropriation bill. If that were the case, I would have no objection to a point of order, because there is no exception in the rule of the Senate which prohibits general legislation on general appropriation bills.

But the situation is quite different here, for the part of the measure that we are speaking of now is not an appropriation bill at all. It seems to be generally conceded that this portion of the bill coming from the House is general legislation, and unless we are to apply Rule XVI of the Senate without exception we must be free to deal with the subject matter of the proposition which was sent to the Senate by the House according to its nature. That is legislation relative to changing the law on the subject of the establishment of rural routes and the payment of rural carriers. It has nothing to do with a general appropriation bill.

Mr. BRYAN. Of course the Senator from Washington can not take that position. This is a general appropriation bill and this is an amendment offered to such a bill.

Mr. POINDEXTER. That is very true, but we can draw a distinction between a general appropriation bill in those parts which provide for general appropriations and something that is hitched to it by the House of Representatives which does not provide for a general appropriation and has no relation to it.

The PRESIDING OFFICER. The question is, Shall the point of order raised by the Senator from Florida be sustained?

Mr. KERN. I have an amendment to offer.

Mr. HARDWICK. If the Senator will pardon me, his amendment will be in order after we dispose of this point of order.

The PRESIDING OFFICER. Those who believe that the point of order should be sustained will say aye. [Putting the question.] Contrary, no. The noes appear to have it.

Mr. BRYAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES (when his name was called). I have a pair for this evening with the junior Senator from Virginia [Mr. SWANSON]. Not knowing how he would vote on this question, I withhold my vote.

Mr. SAULSBURY (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT], who is absent, and I therefore withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan], who is paired with the junior Senator from Missouri [Mr. REED].

The PRESIDING OFFICER (when the name of Mr. WALSH was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

The roll call was concluded.

Mr. CLARK of Wyoming. I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. OVERMAN. I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. In his absence I withhold my vote.

Mr. JOHNSON of Maine (after having voted in the affirmative). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. I transfer that pair to the junior Senator from Indiana [Mr. TAGGART] and allow my vote to stand.

Mr. MARTIN of Virginia. I wish to announce that the Senator from Kentucky [Mr. BECKHAM] is paired with the Senator from Delaware [Mr. DU PONT], and also that the Senator from West Virginia [Mr. CHILTON] is paired with the Senator from New Mexico [Mr. FALL].

Mr. OVERMAN. I transfer my pair with the Senator from Wyoming [Mr. WARREN] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. ASHURST. I rise to announce the unavoidable absence of my colleague [Mr. SMITH of Arizona], who is detained by reason of illness in his family.

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GORR] to my colleague [Mr. SMITH of South Carolina] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from North Dakota [Mr. McCUMBER] with the Senator from Colorado [Mr. THOMAS];

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN].

The result was announced—yeas 13, nays 37, as follows:

#### YEAS—13.

Borah	Johnson, Me.	Lee, Md.	Williams
Bryan	Johnson, S. Dak.	Smoot	
Gore	Kern	Tillman	
Husting	La Follette	Walsh	

#### NAYS—37.

Ashurst	Harding	Norris	Smith, Ga.
Bankhead	Hardwick	Oliver	Sterling
Brady	Hitchcock	Overman	Thompson
Broussard	James	Page	Townsend
Chamberlain	Lane	PoinDEXTER	Vardaman
Clapp	McLean	Shafroth	Weeks
Culberson	Martin, Va.	Sheppard	Works
Cummins	Martine, N. J.	Sherman	
Curtis	Myers	Shields	
Fletcher	Nelson	Simmons	

#### NOT VOTING—45.

Beckham	Gronna	Owen	Smith, S. C.
Brandegge	Hollis	Penrose	Stone
Catron	Hughes	Phelan	Sutherland
Chilton	Jones	Pittman	Swanson
Clark, Wyo.	Kenyon	Pomerene	Taggart
Clarke, Ark.	Lea, Tenn.	Ransdell	Thomas
Colt	Lewis	Reed	Underwood
Dillingham	Lippitt	Robinson	Wadsworth
du Pont	Lodge	Saulsbury	Warren
Fall	McCumber	Smith, Ariz.	
Gallinger	Newlands	Smith, Md.	
Goff	O'Gorman	Smith, Mich.	

The PRESIDING OFFICER. So the point of order is overruled.

Mr. HARDWICK. Mr. President, I desire to offer the following amendment to come in after the words "nineteen hundred and fifteen," in line 18, page 34.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 34, line 18, after the words "nineteen hundred and fifteen," insert:

And that the unexpended balance, or so much thereof as may be necessary, appropriated for the pay of rural carriers for the fiscal year ended June 30, 1915, is hereby reappropriated.

Mr. BRYAN. Mr. President, I raise a point of order against the amendment.

The PRESIDING OFFICER. The Senator from Florida will state his point of order.

Mr. BRYAN. No estimate has been made for it. Therefore it is vulnerable under paragraph 1 of Rule XVI. This is an appropriation of money and—

No amendments shall be received—

Says the rule—

to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation—

And so forth.

Mr. HARDWICK. Mr. President—

The PRESIDING OFFICER. The Chair will hear the Senator from Georgia.

Mr. HARDWICK. I do not care to discuss it again. This is an amendment I have offered in accordance with the suggestion of the Senator from Utah [Mr. Smoot], which I thought was sound to avoid some troubles which might grow out of the language used. I think it ought to be adopted. There is exactly the same parliamentary question involved in it that was involved in the other matter, and I can not see why there should be any prolongation either of debate or fight upon the point.

Mr. SMOOT. It was not estimated for because of the fact that it had already been appropriated for and the amendment is simply reappropriating money already estimated for. Therefore, Mr. President, I hardly think that the question raised by the Senator from Florida is—

Mr. HARDWICK. There may be that difference between it and the other point of order, but outside of that it is the same.

Mr. SMOOT. That is the only difference there is.

Mr. BRYAN. That will not do. It says "is hereby appropriated." What are we doing? We are appropriating money. That is all there is to it.



The PRESIDING OFFICER. The Chair is constrained to sustain the point of order.

Mr. BRYAN. Mr. President, before the vote is taken upon the amendment, inasmuch as considerable criticism was made of the Post Office Department and its handling of the rural service, in justice to that Department I should like to put in the RECORD in a brief way what has been done for the benefit of the rural service of this country.

During President Taft's administration there were established 2,010 additional rural routes. During this administration there have been established 2,781 additional rural routes.

On March 1, 1913, there were 2,657 petitions pending for the establishment or extension of rural-route service. On April 1, 1916, there were only 741 petitions pending.

On March 1, 1913, the number of families served in the United States was 5,060,491. On April 1 this year there were being served 5,710,487 families, an increase of 649,996 families and an increase of the population served of between three and five million.

In the State of Georgia there were families served on March 1, 1913, 261,783. On the 1st of April, 1916, there were 290,623 families served, or an increase of 28,840 people, or an increase in the population served of nearly 150,000.

I ask, Mr. President, that this table showing the service in each of the States may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

*Rural mail service.*

State.	Number of families served Mar. 1, 1913.	Number of families served Apr. 1, 1916.	Increase.
Alabama.....	169,853	200,532	30,679
Arizona.....	2,434	4,086	1,652
Arkansas.....	71,505	101,376	29,871
California.....	80,543	98,151	17,608
Colorado.....	22,395	29,396	7,001
Connecticut.....	37,172	42,506	5,334
Delaware.....	11,549	12,274	725
District of Columbia.....	2,467	2,890	423
Florida.....	30,864	43,913	13,049
Georgia.....	261,783	290,623	28,840
Idaho.....	17,516	25,213	7,697
Illinois.....	273,521	286,381	12,860
Indiana.....	238,427	250,102	11,675
Iowa.....	212,596	224,201	11,605
Kansas.....	161,951	170,972	9,021
Kentucky.....	118,876	138,933	20,057
Louisiana.....	32,769	51,811	19,041
Maine.....	50,127	52,844	2,717
Maryland.....	57,679	61,089	3,410
Massachusetts.....	42,098	47,499	5,401
Michigan.....	223,415	233,982	10,567
Minnesota.....	142,818	157,468	14,650
Mississippi.....	118,836	150,703	31,867
Missouri.....	217,418	243,262	25,844
Montana.....	6,972	11,900	4,928
Nebraska.....	96,851	109,287	12,436
Nevada.....	362	414	52
New Hampshire.....	23,346	25,113	1,767
New Jersey.....	40,185	50,041	9,856
New Mexico.....	1,525	2,736	1,211
New York.....	216,074	234,711	18,637
North Carolina.....	198,176	219,580	21,404
North Dakota.....	37,823	45,149	7,326
Ohio.....	309,008	330,534	21,526
Oklahoma.....	113,854	137,656	23,802
Oregon.....	31,345	38,899	7,554
Pennsylvania.....	250,250	279,879	29,629
Rhode Island.....	6,629	7,466	835
South Carolina.....	125,599	148,345	22,746
South Dakota.....	43,833	50,254	6,421
Tennessee.....	228,810	257,794	28,984
Texas.....	283,045	323,993	40,948
Utah.....	10,862	14,636	3,774
Vermont.....	29,516	31,050	1,534
Virginia.....	135,324	158,244	22,920
Washington.....	49,144	57,645	8,501
West Virginia.....	46,863	57,581	10,718
Wisconsin.....	175,407	195,479	20,072
Wyoming.....	1,085	1,894	809
Total.....	5,060,491	5,710,487	649,996

Mr. KERN. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 33, line 22, insert the following proviso:

*Provided*, That nothing contained in this section shall in any way affect automobile routes already established where good and efficient service satisfactory to the postmasters at the points of distribution of the mail to be delivered is being rendered. Nor shall the provisions of this section apply to rural carriers who have been heretofore appointed and who have purchased or contracted for automobiles intended and designed for use in such Rural Delivery Service.

Mr. HARDWICK. Mr. President, I have no desire for the present to address myself strictly to the amendment proposed by the Senator from Indiana [Mr. KERN]. I do not know that I am particularly opposed to it. There is a good deal of justice in some of the things he says, and as far as I am concerned, while I am not going to advocate it, I am not particularly opposed to it.

I want to say just one word in reference to the statement of the Senator from Florida. I do not want anybody on either side of the Chamber to misunderstand the attitude of either of the Senators from Georgia. I quite agree that since this administration began and up to 12 months ago, when it undertook this reorganization, it had given us a splendid Rural Delivery Service. Petitions that were years old have been favorably acted on, and until we got into this difficulty with the Post Office Department as to the pay of these rural carriers we had no trouble whatever. I am going to be perfectly plain about it. The department would not carry out the real intent of Congress on that subject. Up to that time the Post Office Department had increased the Rural Delivery Service and was administering it in a perfectly satisfactory manner. I fully endorse what the Senator from Florida said in that respect, but I do say this: When the department undertook the readjustment of the service about a year ago, it seems to me that because of the fact that Congress thought these carriers ought to have more pay one division of the service particularly undertook to take it out upon the Rural Delivery Service.

In my State they not only established automobile routes most improvidently and most unwisely by scores and hundreds, but they lengthened horse-drawn vehicle routes 24 and 25 miles long to 30 miles and in some cases to 31 and 32 miles, and made them so long that they could no longer render the efficient service that had been rendered in the past.

That is my complaint about this so-called reorganization. It is not directed to the general policy nor to any of the acts of the department prior to this recent reorganization, which we are trying now to stop.

I do not want to be misunderstood about it. I have no feeling whatever in the matter. Some conduct of the Fourth Assistant Postmaster General does not appeal to either Democratic or Republican members of the committee. At a later time and in a different way, and on a different occasion, I expect to call the attention of the Senate to that in more detail. I have no feeling whatever against the service, against the administration, or against the department on account of any of these occurrences. We are simply trying to improve the service, and it is my honest and humble judgment that there is not a provision in the amendment the committee unanimously agreed upon, and that the Senate I hope and believe will sustain, that is not directed to the very best interests of the service, and will not immeasurably improve the efficiency and morale of the service in every particular.

I do not want any Senator on this side or the other side to think that there is anything in the amendment suggested by the committee that has grown out of the slightest feeling, personal or otherwise, that any member of the Senate committee might have against the Fourth Assistant Postmaster General. That is not true. This is an amendment drawn in good faith to secure what we believe will secure the best possible service to the rural population of the United States, and that is all there is to it. There is nothing beyond that or besides that in the mind or action of the committee.

As far as the amendment proposed by the Senator from Indiana is concerned, while I have no authority from the committee to accept it I have no objection, if the Senator wants to insist upon it, to putting it in and letting the conference work it out. I do not know in what form it can be worked out. If the Senator from Alabama, who is in charge of the bill, does not raise any objection to it, I shall raise no objection.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Indiana [Mr. KERN].

The amendment was agreed to.

The PRESIDING OFFICER. The Chair suggests to the Senator in charge of the bill that in view of the adoption of this amendment the word "further" ought to be inserted after the word "Provided" in line 22.

Mr. HARDWICK. Yes; the word "further" ought to be inserted after the next word "Provided," as the Chair suggests.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARDWICK. Has the amendment reported by the committee been voted upon yet?

The PRESIDING OFFICER. It has not. The question is on the amendment offered by the committee as amended.



The amendment as amended was agreed to.

The next amendment was, on page 34, line 20, after the words "third class," to strike out "\$200,000" and insert "\$250,000," so as to make the clause read:

For village delivery service in towns and villages having post offices of the second or third class, \$250,000.

Mr. BRYAN. I move to strike out lines 19, 20, and 21, which strikes out the entire appropriation. This is the outgrowth of a policy established two or three years ago.

The PRESIDING OFFICER. The understanding of the Chair is that amendments on the floor are not now in order, as the Senate is proceeding to consider the committee amendments. So the Chair is obliged to rule that the amendment of the Senator from Florida is not now in order.

Mr. BRYAN. I oppose the increase of the appropriation. We began four or five years ago making an appropriation of \$50,000 for experimental village-delivery service and that language has remained in the law until this year. The House has stricken out the word "experimental" and it now reads "for village-delivery service." Of course that is better because there is no experiment about the proposition as to whether a man can take a mail sack down the street of a village and deliver mail out of it. The Post Office Department has never asked for it. It has been increased over the objection of the department from \$50,000 to \$100,000 and from \$150,000 to \$200,000, and now the Senate committee wants to increase it to a quarter of a million dollars.

The Post Office Department say that, while they do not want it, they have used the appropriation to establish a village service in one village in each congressional district. That necessarily means, Mr. President, that other villages of the same population will also demand this service, and they will have justice behind their demands. When you establish the service in one village in each congressional district and begin to multiply it, then what have you done? You have then established a delivery service in every village. Then you have increased your appropriations for this service until they will amount to as much as the cost of the Rural Delivery Service in this country.

It seems to me it would be a good idea to stop it now when it is so small. They have just about gotten around, I understand, so that there is one in most of the congressional districts in the country. The Post Office Department in every hearing has protested against having this money. As I said before, it is no experiment; it is simply done to favor a village or a town in a district. Of course, when that town is taken care of other towns similarly situated will make the same appeal.

I hope the amendment of the committee will not be agreed to. The Post Office Department, of course, did not estimate for it, but the committee have the right to increase the appropriation.

Mr. HARDWICK. The department estimated \$200,000.

Mr. BRYAN. They estimated \$200,000, but they did not estimate for this extra \$50,000. The committee merely felt generous, felt rich, and put it in the bill; that is all. They had a right to do it; there is no point of order about it. It is just simply a policy that ought to be stopped now when it has not grown to such proportions that it will be impossible to stop it.

Mr. BANKHEAD. Mr. President, this item in the appropriation bill has been carried for a number of years. It is true that there has been an increase from the original appropriation, which was \$50,000. It is true the Post Office Department estimates \$200,000, but the committee thought this service was of such a character, that it was so important, and that there was such a demand for its extension, that they might very well recommend an increase of \$50,000 in the appropriation.

For myself, Mr. President, I hope that the Congress of the United States will continue to increase this appropriation. I think that there are a great many towns in the country too small to receive delivery service under existing law, which are entitled to benefits of this character. Of course they can not all be established at once; but there can be no objection, as I see it, to gradually increasing this appropriation, when there is such a demand for it and when the benefits that accrue from it are so universally recognized. I hope, therefore, the amendment will stand.

Mr. HITCHCOCK. Mr. President, before the Senator from Alabama takes his seat, I should like to ask what is now the dividing line? What towns receive the city delivery as a matter of right?

Mr. BANKHEAD. Under the operation of this appropriation, my understanding is that the towns must have a population of 5,000. Of course, for city delivery they must have 10,000, and they must also have \$10,000 of postal receipts. Under the provisions of this bill, village-delivery service is limited to towns having 5,000 population, but there is no limit, as I understand, as to the postal receipts.

Mr. HITCHCOCK. Then, any city with less than 10,000 population has no city delivery?

Mr. HARDWICK. If the Senator will pardon me, the limitation is \$5,000 annual receipts. Any town or village with annual postal receipts of as much as \$5,000 can get this delivery where it is not entitled to city delivery under the postal regulations.

Mr. HITCHCOCK. First, I want to ascertain what towns are entitled to city delivery?

Mr. HARDWICK. Such towns in each State as have more than \$5,000 receipts and are not entitled to city delivery, as are designated by the Post Office Department.

Mr. HITCHCOCK. No; I am first asking what towns are entitled to city delivery?

Mr. HARDWICK. Where the receipts are over \$10,000 and the population is over 10,000.

Mr. HITCHCOCK. Then, any town with less than 10,000 population and with less than \$10,000 of annual receipts is not entitled to city delivery?

Mr. BANKHEAD. That is right.

Mr. HITCHCOCK. This paragraph proposes, as a matter of favor, to extend the service to some of the towns that have 5,000 population?

Mr. HARDWICK. No; which have \$5,000 of postal receipts.

Mr. HITCHCOCK. Five thousand dollars of postal receipts; and how much population?

Mr. HARDWICK. There is no requirement as to population.

Mr. HITCHCOCK. Then it is a matter of favor to be decided by the Postmaster General?

Mr. HARDWICK. Mr. President, let me go over the ground for just a minute. In a city entitled to city delivery there must either be 5,000 population or \$10,000 annual postal receipts. This provision is for a class of towns and villages that do not come up to those requirements, and yet that do have as much as \$5,000 of annual postal receipts. It covers a class of villages and of small towns.

Of course, the Senator understands that this is experimental legislation in a way; I think this is the first year that the words "experimental village delivery" have been left out of this legislation. We have been experimenting with it; we have used just two or three cities and smaller towns in each congressional district; a few in each State; one or two to the congressional district. Usually, on the recommendation of the Senators and Representatives to the department, these towns have been selected. The idea of the committee in increasing this appropriation was that the experiment has proven successful; that all of these cities and villages ought to have this delivery down to the \$5,000 limit as rapidly as it can be supplied and the postal funds will authorize. We believe, as the Senator suggested, that there ought to be no favoritism about it, and that as rapidly as possible we ought to give all the towns within these limits village delivery.

Mr. HITCHCOCK. Mr. President, what I am really trying to get at is, What limitation is placed upon the discretionary power of the Postmaster General? May he give this service to any village or may he only give it to some villages of a certain population or a certain business?

Mr. HARDWICK. He can give it to any town that has as much as \$5,000 of annual postal receipts.

Mr. TOWNSEND. Within the limits of the appropriation.

Mr. HARDWICK. Within the limits of the appropriation, of course.

Mr. HITCHCOCK. What logical reason is there for denying the city delivery to all towns?

Mr. HARDWICK. I am glad to hear the Senator ask that question. In reply, I will say that I do not think there is any reason for it. I think, as rapidly as we can possibly do it, we ought to extend this village delivery to every one of the towns in the United States that come within these limits. That is the reason your committee increased the amount. We want to accomplish that as fast as we can.

Mr. HITCHCOCK. Is there any estimate of the number of towns or the amount of appropriation that would be necessary to make this service universal?

Mr. HARDWICK. No, sir; but we know enough to know that it is a very large proposition. We can not get to it except gradually, as the postal funds will authorize, as certain economies are effected in other branches of the service and as revenues are provided for in other ways. We know that it can not be done at once; we do not believe it ought to be dropped. Wherever this service has been established the testimony is universal that it is a great success, and we want to continue it and extend it.

Mr. HITCHCOCK. Are there any restrictions or limitations on the bestowal of the delivery connected with buildings and sidewalks? I have in mind that at times postal facilities have been



refused to towns because they were without adequate pavements or sidewalks. What is the law on that subject?

Mr. HARDWICK. I will quote from the hearings. The towns must have \$5,000 annual postal receipts—not less than that. They must also have street lights, pavements, house numbers, signs on the street corners, and private mail receptacles. What happens is this: If one of these towns is designated by the Postmaster General in any State to receive this service, the department at once inquires about these things. If it has not got them, the department requires the town to put them up or to provide street names, numbers, and so on, and reasonably good pavements before they will undertake to establish free delivery; but if they will not put the streets in proper condition the department will give the service to some other town possessing the necessary qualifications and willing to comply with the departmental requirements.

Mr. CUMMINS. Mr. President, I want to ask the Senator from Georgia a question. In replying to the Senator from Nebraska [Mr. HITCHCOCK] the impression may have been received that the requirements just stated are requirements of the law.

Mr. HARDWICK. That is not true. They are requirements of the Post Office Department.

Mr. CUMMINS. They are simply regulations that can be changed at any time.

Mr. HARDWICK. Yes; they are regulations of the Post Office Department.

Mr. CUMMINS. How many towns and villages are there in the United States having second or third class post offices?

Mr. HARDWICK. I do not know that I can answer that question. I can probably get the information accurately for the Senator, but I have not got it right now.

Mr. CUMMINS. Has the Senator from Georgia any information in regard to what it would cost if all the towns and villages of the country were served by letter carriers?

Mr. HARDWICK. We have not; we have had no estimates of that kind. Therefore we did not undertake to increase this appropriation largely. I will say, however, answering the question of the Senator from Iowa, that it appears that there are 533 first-class post offices in the United States and 2,138 second-class post offices. All of those are entitled, as I understand, to the city delivery under the law. There are 6,249 third-class post offices, and most of those, not all of them—I do not know what per cent of them, but, anyhow, a considerable per cent of the post offices embraced in that class—might come within the postal regulations and be entitled to this village delivery service. The committee does not know how many, because we did not feel able at the present time to undertake a great extension of this service.

Mr. CUMMINS. I dismiss the regulations, because they can be changed at any moment.

Mr. HARDWICK. Of course.

Mr. CUMMINS. Does the Senator say that every second-class office is entitled to city delivery?

Mr. HARDWICK. I think so.

Mr. CUMMINS. I do not so understand it.

Mr. HARDWICK. I think, if the Senator will investigate the matter, he will find that that is true.

Mr. CUMMINS. I wish I knew about what it would cost to furnish this service to all of the towns and villages, because I think that one is just as much entitled to it as is another; and if I were making the regulation I would a great deal rather give it to those towns that have no sidewalks or street lights, than to towns that have sidewalks and street lights, because it is more difficult for the people to reach the post offices in such towns and villages.

I think the Senator from Georgia ought to remember that it is one of the time-honored privileges of the citizens of a town or village to gather at the post office in order to get their mail. I really think there is more interchange of social thought and political thought, too, when these people come once or twice a day to the post office than we often give credit for. I doubt very much the wisdom of the United States delivering the mail in small places to the residences of the people who can with a very few steps reach the post office. Why does the Senator from Georgia think it ought to be done?

Mr. HARDWICK. I will tell the Senator why. We have tried it in the town where I live, which is a town of about 3,000 inhabitants, and everybody there is delighted with the service. Like most towns of that size, the houses are scattered probably a mile from the center of activities where the post office and courthouse are located, and some people live a good distance from the post office. A great many towns and villages would like to get this service. I have never heard of a village anywhere—North, East, South, or West—that did not want to get

it, certainly not in the section of country from which I come. I can not see why such postal facilities should not be extended to the people of towns and villages as fast as we can supply the funds to do it as well as to the people living in rural sections and the people in the larger towns. It is only a question of having the money, and I do believe that it is one of the most desirable services to the development of which the Post Office Department can direct its future activities.

Mr. CUMMINS. I had not thought of the question very deeply, but if one town is entitled to it they are all entitled to it.

Mr. HARDWICK. I quite agree with the Senator.

Mr. CUMMINS. And I do not think there ought to be any discrimination.

Mr. HARDWICK. I quite agree with the Senator, and that is why we are increasing the appropriation. We know, of course, that the amount we have appropriated will not anything like serve all the towns.

Mr. CUMMINS. Why does not the committee appropriate more, then?

Mr. HARDWICK. I will tell the Senator. We hope to do so, after awhile, but we will have to get more information than we have, and I am afraid we will have to get more money than we have. I think those are two good reasons. We do not know how much it will take and we do not know that we have not got enough money to do it right now.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 35, after line 9, to strike out:

Sec. 2. That the third proviso of the act of May 4, 1882 (22 Stats. L., ch. 116, p. 54), be amended as follows:

"If any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor: *Provided*, That such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor."

Sec. 3. That whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause there shall not be a contractor legally bound or required to perform such service, the Postmaster General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not in any case exceeding one year, until the service shall have commenced under a contract made according to law: *Provided*, That the cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor.

Sec. 4. That whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General be, and he is hereby, authorized, out of the appropriation for inland transportation by star routes, to employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing law or laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies.

Sec. 5. That section 3949 of the Revised Statutes be amended to read as follows:

"All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest bidder tendering sufficient guarantees for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract."

Sec. 6. That the limit of weight of mail matter of the first class shall be the same as is applicable to mail of the fourth class: *Provided*, That no article or package exceeding 4 pounds in weight shall be admitted to the mails under the penalty privilege unless it comes within the exceptions named in the acts of June 8, 1896 (ch. 370, 29 Stats. L., p. 262), and June 26, 1906 (ch. 3546, 34 Stats. L., p. 477).

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. SMOOT. Just a moment. I should like some information in regard to the amendment.

Mr. BANKHEAD. For the information of the Senator I will say that the sections stricken out have already been enacted into law in the postal savings act.

Mr. SMOOT. I was going to ask if that was not the case.

Mr. BANKHEAD. All of these sections which are stricken out in the bill—sections 2, 3, 4, 5, 6, 8, 9, 11, 13, and 14—have been enacted into law.

Mr. GALLINGER. Mr. President, I have been absent for a little time and have not kept very close watch on the proceed-



ings of Congress. I will ask the Senator the status of the postal savings bank bill. Has it become a law?

Mr. BANKHEAD. It has become a law, having been approved by the President.

Mr. GALLINGER. And these sections are in the law?

Mr. BANKHEAD. All the sections stricken out are in that law.

Mr. HUSTING. I should like to have the question stated. I do not understand what the question is. I will ask the Secretary to read the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The Secretary again stated the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read as follows:

SEC. 7. That so much of section 1 of the "Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912, which provides that the Post Office Department shall not extend or enlarge its present policy of sending second-class matter by freight trains, is hereby repealed.

Mr. ASHURST. Mr. President, in the course of the progress of the bill I observe that we have reached section 7. I desire to submit some observations on a motion I have previously entered with reference to striking out that section. I will ask the distinguished chairman of the committee if he would deem this an appropriate time for me to make the motion and discuss that question, or does he wish to proceed otherwise?

Mr. BANKHEAD. I prefer, Mr. President, to go right along with the bill. We might as well consider section 7 now as at any other time. I do not see any necessity for passing it over.

Mr. ASHURST. I desire, of course, to yield to the wishes of the chairman of the committee.

Mr. SMOOT. Mr. President, the committee amendments were to be considered first.

The PRESIDING OFFICER. The Chair is advised that—

Mr. BANKHEAD. I think, perhaps, we had better complete the committee amendments before section 7 is taken up. I overlooked the fact that the committee amendments were to be first considered.

The PRESIDING OFFICER. The Chair is advised that an agreement has been made to that effect. The Secretary will state the next amendment reported by the committee.

The next amendment reported by the Committee on Post Offices and Post Roads was, on page 38, after line 8, to strike out:

SEC. 8. That section 2 of the act of April 28, 1904 (ch. 1759, 33 Stat. L., p. 440), be, and the same is hereby, amended to read as follows:

"That under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails it shall be lawful to accept for transmission in the mails without postage stamps affixed quantities of not less than 500 identical pieces of third-class matter and of second-class matter mailed at the special rates of 1 cent and 2 cents a copy, and 250 identical pieces of fourth-class matter and packages of money and securities mailed under postage at the first or fourth class rate by the Treasury Department: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter."

SEC. 9. That postage stamps affixed to all mail matter or to stamped envelopes in which the same is inclosed shall, when deposited for mailing or delivery, be defaced by the postmaster at the mailing office: *Provided*, That when practicable postage stamps may be furnished to postmasters precanceled by printing on them the name of the post office at which they are to be used, under such regulations as the Postmaster General may prescribe.

The amendment was agreed to.

The next amendment was, on page 39, after line 8, to strike out:

SEC. 10. That the Postmaster General, in cases of emergency, between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags theretofore withdrawn therefrom as required by law, and for such times may pay for their railroad transportation out of the appropriation for inland transportation by railroad routes at not exceeding the rate per pound per mile as shown by the last adjustment for mail service on the route over which they may be carried, and pay for necessary cartage out of the appropriation for freight or expressage.

The amendment was agreed to.

The next amendment was, on page 39, after line 18, to strike out:

SEC. 11. That the act of March 4, 1909 (chap. 321, sec. 198, 35 Stats., p. 1126), be amended to read as follows:

"Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully and maliciously assault any letter or mail carrier knowing him to be such while engaged on his route in the discharge of his duty as such carrier, or shall will-

fully aid or assist in any of the aforementioned offenses shall for every such offense be punished by a fine of not more than \$1,000 or by imprisonment for not more than three years."

The amendment was agreed to.

The next amendment was, on page 40, after line 21, to strike out:

SEC. 13. That so much of section 4 of an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, approved August 24, 1912, as provides that no adjustment shall be made unless the diverted mails equal at least 10 per cent of the average daily weight on any of the routes affected is hereby repealed.

The amendment was agreed to.

The next amendment was, on page 41, after line 4, to strike out:

SEC. 14. That when, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, is hereafter authorized, in his discretion, to add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal the estimated weights for that part of the weighing period when conditions are shown to have been not normal or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails, notwithstanding the provision of the act of Congress approved March 3, 1905, requiring that the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than 90, as the Postmaster General may direct: *Provided further*, That readjustments from July 1, 1913, may be made under this provision on routes in the first section affected by the floods in the Ohio Valley and tributary territories, commencing about March 25, 1913.

The amendment was agreed to.

The next amendment was, in section 16, page 42, line 22, after the word "directed," to strike out:

To readjust the compensation to be paid to railroad companies from and after the 30th day of June, 1916, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service.

Full railway post-office car mail service shall be service by cars 40 feet or more in length, constructed, fitted up, and maintained for the distribution of mails on trains. The authorizations of full railway post-office cars shall be for standard sized cars 60 feet in length, inside measurement, except as hereinafter provided.

Apartment railway post-office car mail service shall be service by apartments less than 40 feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments 15 feet and 30 feet in length, inside measurement, except as hereinafter provided.

Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars 60 feet in length, inside measurement, except as hereinafter provided: *Provided*, That less than 60 feet of storage space may be authorized in baggage cars.

Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department, as shall be directed by the Postmaster General to be so carried: *Provided*, That no parcel-post package shall exceed 50 pounds in weight.

Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinafter provided.

The rates of payment for the services authorized in accordance with this act shall be as follows, namely:

For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

In addition thereto he may allow not exceeding \$4.25 as a combined initial and terminal rate for each one-way trip of a 60-foot car.

For apartment railway post-office car mail service at not exceeding 11 cents for each mile of service by a 30-foot apartment car and 6 cents for each mile of service by a 15-foot apartment car.

In addition thereto he may allow not exceeding \$2.75 as a combined initial and terminal rate for each one-way trip of a 30-foot apartment car and \$2 as a combined initial and terminal rate for each one-way trip of a 15-foot apartment car.

For storage-car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

In addition thereto he may allow not exceeding \$4.25 as a combined initial and terminal rate for each one-way trip of a 60-foot car.

Where authorizations are made for cars of the standard lengths of 60, 30, and 15 feet, as provided by this act, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by this act for the standard length so authorized: *Provided*, That the Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths.

For closed-pouch service, at not exceeding the following rates, when a 3-foot unit is authorized, a terminal charge of 50 cents for a round trip, or 25 cents for a single trip, irrespective of the distance run, and



in addition thereto a line charge at the rate of 1½ cents per mile for the authorized number of miles. When a 7-foot unit is authorized, a terminal charge of \$1 for a round trip, or 50 cents for a single trip, irrespective of the distance run, and in addition thereto a line charge at the rate of 3 cents per mile for the authorized number of miles.

The Postmaster General may require railroad companies carrying the mails to deliver them into and take them from the terminal and intermediate post offices and transfer them between railroad stations on their routes without additional compensation, under such regulations as he may deem proper, in cases where he does not provide for such service otherwise: *Provided*, That the Postmaster General in his discretion may relieve any of the roads of such service.

Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the condition that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per cent of the compensation otherwise authorized by this act.

The initial and terminal rates provided for herein shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance.

In computing the car-miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon.

In computing the car-miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used by the company in the return movement, or otherwise mutually agreed upon.

New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require: *Provided*, That no additional pay shall be allowed for additional service unless specifically authorized by the Postmaster General.

The Postmaster General is authorized to make special contracts with the railroad companies for the transportation of the mails where, in his judgment, the conditions warrant the application of higher rates than those herein specified, and make report to Congress of all cases where such special contracts are made and the terms and reasons therefor.

All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. No pay shall be allowed for service by any wooden full railway post-office car unless constructed substantially in accordance with the most approved plans and specifications of the Post Office Department for such type of cars, nor for service by any wooden full railway post-office car run in any train between adjoining steel cars, or between the engine and a steel car adjoining. After the 1st of July, 1917, the Postmaster General shall not approve or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material; and all full railway post-office cars accepted for this service and contracted for by the railroad companies hereafter shall be constructed of steel. Until July 1, 1917, in cases of emergency and in cases where the necessities of the service require it, the Postmaster General may provide for service by full railway post-office cars of other than steel or steel underframe construction, and fix therefor such rate of compensation within the maximum herein provided as shall give consideration to the inferior character of construction, and the railroad companies shall furnish service by such cars at such rates so fixed.

Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company: *Provided*, That service over land-grant road shall be paid for as herein provided.

Railroad companies carrying mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as is herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, distribution, and transfer of mails in transit, and for offices and rooms for the employees of the Postal Service engaged in such transportation when required by the Postmaster General.

Every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Postal Service, while traveling on official business, upon the exhibition of their credentials.

If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates, and with due speed, all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper.

The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of this act for reduction in service or infrequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of

the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

The provisions of this section shall apply to service operated by railroad companies partly by railroad and partly by steamboats.

The provisions of this section respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission.

Railroad companies carrying the mails shall submit, under oath, when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this section, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes, and hereafter detailed estimates shall be submitted for such services in the annual Book of Estimates.

The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

The Postmaster General is authorized, in his discretion, to petition the Interstate Commerce Commission for the determination of a postal carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals when lower rates for transportation or other economies may be secured thereby without material detriment to the service.

The Postmaster General is authorized to return to the mails, when practicable for the utilization of car space paid and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service.

The Postmaster General in cases of emergency between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and, where such return requires additional authorization of car space under the provisions of this section, to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

The Postmaster General may have the weights of mail taken on railroad mail routes, and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expenses thereof out of the appropriation for inland transportation by railroad routes.

It shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do, and for every such offense it shall be fined not exceeding \$5,000.

After the rates specified in this section shall have been adopted the Interstate Commerce Commission shall, whenever requested by the Postmaster General or by the representatives of railroads with an aggregate mileage of at least 51 per cent of the mileage of railroads carrying mail, make an investigation of the justice and reasonableness of rates then in effect, grant hearings to parties in interest, and report to Congress at the earliest practicable date thereafter the results of such investigation, making specific findings as to whether the rates fixed herein should be increased or decreased, and if either, how much. Such report shall show for each steam railroad operating company, if practicable, the amount of mail service rendered, the cost of performing same, and a comparison of the earnings of such railroad company from the mail traffic with those from express traffic and other passenger-train traffic. For the purpose of such investigations the Interstate Commerce Commission shall have all powers which it is now authorized to exercise in the investigation of the reasonableness of rates, and the Postmaster General shall supply such information regarding the mail service as may be requested by the Interstate Commerce Commission.

That the appropriation for inland transportation by railroad routes and for railway post office car service for the fiscal year ending June 30, 1917, are hereby made available for the purposes of this section.

And in lieu thereof to insert:

From and after the passage of this act, and not less frequently than once every year, to cause the United States mails to be weighed simultaneously on all railroad mail routes for a period of 30 successive working days, and when such annual weighing is completed he shall readjust the annual compensation of railway mail pay on the basis of the average daily weight of all the mail carried on each route as ascertained by the actual weight taken, as herein provided, which readjustment shall be effective on and after the 1st day of July following such weighing: *Provided*, That such annual weighing shall only be had in those cases in which railroad companies carrying the mails shall perform the work of weighing the mails under the supervision and direction of the Postmaster General and without expense to the Government: *Provided further*, That in case any contractor for a railway mail route shall refuse or fail to perform the work of weighing without expense to the Government, then the mails on such route shall be weighed quadrennially in the manner above provided.

The Interstate Commerce Commission is hereby directed to hold hearings and to make a thorough investigation into the justness and reasonableness of existing rates of railway mail pay and of the practices and regulations of the Post Office Department in respect thereto and in regard to the service required to be performed therefor.

The commission shall also hold hearings and thoroughly investigate the so-called "space" plan and the so-called "weight" plan of railway mail pay, and any combination of the two, and any other plan that may seem to afford an accurate and fair basis for determining what compensation is just and reasonable both to the Government and the railroads for the carrying of the mails.



The commission is making such investigation shall consider efficiency and economy in service, both from the standpoint of the Government and the railroads, and shall also consider the relations existing between the railroads as public service corporations and the Government.

The commission shall not only investigate the system or plan of fixing railway mail pay but it shall also hold hearings and carefully and thoroughly investigate the question as to what rates of compensation should be allowed to the railroads under whatever plan or system is suggested or adopted.

The commission shall, as soon as possible, conduct and conclude the investigation herein provided, and report to Congress the result of its investigations, and its recommendations thereon.

For the purpose of making such investigation the Interstate Commerce Commission is hereby vested with all the powers which it is now authorized by law to exercise in the investigation of the justness and reasonableness of freight, passenger, and express rates, and the regulation of railroads and express companies, and the Postmaster General, the railroad carriers, and express companies shall supply such information regarding the railway mail pay as the Interstate Commerce Commission may request and shall be given full opportunity to be heard.

If the Postmaster General shall find on experience that the classification of articles mailable, as well as the weight limit, or the rates of postage, zone or zones, and other conditions of mailability, under section 8 of the act approved August 24, 1912, or any of them, are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is hereby authorized to reform from time to time such classification, weight limit, rates, zone or zones, or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof: *Provided, however*, That before any change is hereafter made in weight limit, rates of postage, or zone or zones, by the Postmaster General, the proposed change shall be approved by the Interstate Commerce Commission, which is hereby directed to hold hearings and to make a thorough and independent investigation of the question for the purpose of determining whether such proposed change will promote the Parcel Post Service to the public and insure the receipt of revenue from such service adequate to pay the cost thereof.

So as to make the section read:

SEC. 16. That the Postmaster General is authorized and directed from and after the passage of this act and not less frequently than once every year to cause the United States mails to be weighed simultaneously on all railroad mail routes for a period of 30 successive working-days, and when such annual weighing is completed he shall readjust the annual compensation of railway mail pay on the basis of the average daily weight of all the mail carried on each route as ascertained by the actual weight taken, as herein provided, which readjustment shall be effective on and after the 1st day of July following such weighing: *Provided*, That such annual weighing shall only be had in those cases in which railroad companies carrying the mails shall perform the work of weighing the mails under the supervision and direction of the Postmaster General and without expense to the Government: *Provided further*, That in case any contractor for a railway mail route shall refuse or fail to perform the work of weighing without expense to the Government, then the mails on such route shall be weighed quadrennially in the manner above provided.

The Interstate Commerce Commission is hereby directed to hold hearings and to make a thorough investigation into the justness and reasonableness of existing rates of railway mail pay and of the practices and regulations of the Post Office Department in respect thereto and in regard to the service required to be performed therefor.

The commission shall also hold hearings and thoroughly investigate the so-called "space" plan and the so-called "weight" plan of railway mail pay, and any combination of the two, and any other plan that may seem to afford an accurate and fair basis for determining what compensation is just and reasonable both to the Government and the railroads for the carrying of the mails.

The commission in making such investigation shall consider efficiency and economy in service, both from the standpoint of the Government and the railroads, and shall also consider the relations existing between the railroads as public service corporations and the Government.

The commission shall not only investigate the system or plan of fixing railway mail pay, but it shall also hold hearings and carefully and thoroughly investigate the question as to what rates of compensation should be allowed to the railroads under whatever plan or system is suggested or adopted.

The commission shall, as soon as possible, conduct and conclude the investigation herein provided, and report to Congress the result of its investigations and its recommendations thereon.

For the purpose of making such investigation the Interstate Commerce Commission is hereby vested with all the powers which it is now authorized by law to exercise in the investigation of the justness and reasonableness of freight, passenger, and express rates, and the regulation of railroads and express companies, and the Postmaster General, the railroad carriers, and express companies shall supply such information regarding railway mail pay as the Interstate Commerce Commission may request and shall be given full opportunity to be heard.

If the Postmaster General shall find on experience that the classification of articles mailable, as well as the weight limit, or the rates of postage, zone or zones, and other conditions of mailability, under section 8 of the act approved August 24, 1912, or any of them, are such as to prevent the shipment of articles desirable or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is hereby authorized to reform from time to time such classification, weight limit, rates, zone or zones, or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof: *Provided, however*, That before any change is hereafter made in weight limit, rates of postage, or zone or zones by the Postmaster General the proposed change shall be approved by the Interstate Commerce Commission, which is hereby directed to hold hearings and to make a thorough and independent investigation of the question for the purpose of determining whether such proposed change will promote the Parcel Post Service to the public and insure the receipt of revenue from such service adequate to pay the cost thereof.

During the reading of the amendment,

Mr. LA FOLLETTE. Mr. President, many of these provisions appear to me to be of considerable importance, and I am trying to follow the Secretary as he reads them. I find considerable difficulty in keeping up with him at the pace at which

he is going; and I just rose to suggest that they be read at such measure as would enable Members of the Senate to comprehend them as we are going along. Otherwise, the reading is hardly worth while.

The Secretary resumed and concluded the reading of the amendment.

Mr. THOMAS. Mr. President, I desire to offer an amendment to the proposed amendment of the committee, which I ask to have read and printed.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Senator from Colorado offers an amendment to the amendment of the committee, which will be stated.

The SECRETARY. On page 57, line 2, after the word "thereon," it is proposed to add the following:

And the system or plan of fixing railway mail pay to be so reported shall be accepted by the Congress and the railway companies as final, and made the basis thereafter of the systems of railway mail pay without any further or other inquiry relating thereto.

Mr. CUMMINS. Mr. President, a parliamentary inquiry. Does the Senator from Colorado offer the amendment so that it is now the pending question?

Mr. THOMAS. No; I offer it and ask to have it printed. I shall call it up later.

The PRESIDING OFFICER. The amendment proposed by the Senator from Colorado will lie on the table and be printed.

Mr. THOMAS. If there is any question about the regularity of my offering the amendment at the present time, I will withdraw it and offer it later.

The PRESIDING OFFICER. The Chair sees no objection to the Senator offering the amendment in this way.

Mr. THOMAS. The suggestion is made that we may reach the amendment to the amendment before it has been printed; but I hardly think we will do so to-day.

Mr. CUMMINS. Mr. President, some time ago I offered and had printed an amendment to the amendment proposed by the Senate committee which I regard as of some importance. I had rather understood from the chairman of the committee that he did not desire to enter upon the consideration of that amendment this afternoon, but possibly I misunderstood him.

Mr. BANKHEAD. Mr. President, I think perhaps the Senator did misunderstand me. I can see no reason why we should not now consider the amendment. I am very anxious to secure final action on the bill; and if it is not objectionable to the Senator, I should be glad if he would go on now.

Mr. CUMMINS. I have no objection at all. I am quite ready, but I thought I was deferring to the wishes of the chairman of the committee.

I offer an amendment to the committee amendment, which I send to the desk.

The PRESIDING OFFICER. The Senator from Iowa offers an amendment to the committee amendment, which will be stated.

The SECRETARY. It is proposed to substitute for the committee amendment, beginning on line 1, page 56, and ending with line 11, page 57, the following:

All common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith.

The Interstate Commerce Commission is hereby empowered and directed to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of such mail matter and the service connected therewith and to publish the same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing.

The procedure for the ascertainment of said rates and compensation shall be as follows:

Within three months from the passage of this act the Postmaster General shall file with the commission a statement showing the transportation required of all common carriers, including the number, equipment, size, and construction of the cars necessary for the transaction of the business; the character and speed of the trains which are to carry the various kinds of mail; the service, both terminal and en route, which the carriers are to render; and all other information which may be material to the inquiry. The commission may require the statement of any facts which it deems relevant to the investigation. The Postmaster General shall also state what he believes to be the reasonable rate or compensation the several carriers should receive. Thereupon the commission shall give notice of not less than 30 days to each carrier so required to transport mail and render service, and upon a day to be fixed by the commission each of said carriers shall make answer and the commission shall proceed with the hearing as now provided by law for other hearings between carriers and shippers or associations.

All the provisions of the law for taking testimony, securing evidence, penalties, and procedure are hereby made applicable.

At the conclusion of the hearing the commission shall establish by order a fair reasonable rate or compensation to be received by each carrier, at such stated times as may be named in the order, for the transportation of mail matter and the service connected therewith, and during the continuance of the order the Postmaster General shall pay the carrier from the appropriation herein made such rate or compensation.



Either the Postmaster General or any carrier may at any time after the lapse of six months from the entry of the order assailed apply for a reexamination, and thereupon substantially similar proceedings shall be had.

The Interstate Commerce Commission is hereby vested with all the powers which it is now authorized by law to exercise in the investigation and ascertainment of the justness and reasonableness of freight, passenger, and express rates to be paid by private shippers.

In the case of any carrier which has received, directly or indirectly, through succession a public-land grant the value of the grant or donation shall not be considered in determining the value of the railway property.

This section shall not apply to that part of the foreign mail service performed by steamships plying between the United States and a foreign country.

The existing law for the determination of mail pay shall continue in effect until the Interstate Commerce Commission under the provisions hereof fixes the fair, reasonable rate or compensation for such transportation and service.

Mr. CUMMINS. Mr. President, it will be at once observed that the amendment I have proposed presents a fundamental question with regard to the relation between the Government of the United States and the several railways which are required to transport mail.

I gave some study to this inquiry three or four years ago, while the joint committee of the two Houses of Congress was carrying on a very elaborate investigation into the subject. I reached the conclusion then that there was but one fair thing to do, namely, to empower and require the tribunal which we have established for the purpose of determining rates, so far as the general public is concerned, to ascertain and establish the fair compensation to which railway companies are entitled, or will become entitled, for the service which they render to the Government as an organized society.

Some things have transpired since the conclusion I have suggested was reached which have tended to impair somewhat my confidence in that high tribunal. I must say that in perfect frankness—not that my confidence in the integrity of the members of the commission has been lessened, but some things have occurred that have shaken my faith in the point of view which the commission, or some members of it, have assumed. Nevertheless, the Interstate Commerce Commission is a permanent tribunal, as I believe, in the affairs of the United States. No matter what mistakes it may have made, or what mistakes it may make in the future, we have created it for the especial purpose of determining what compensation the common carriers of the United States should receive for the service which they render, and I believe that the Government itself, which pays to the railway companies every year more than any other patron of the common-carrier system, ought to intrust to this tribunal the settlement of the very vexatious dispute which has now continued in the United States for about 40 years.

The present plan for the payment of compensation to the railway companies for the transportation of mail had its origin, I think, in the law of 1873. It has been somewhat modified from time to time, but the system that is now in force was organized in that year. Under it the railway companies carry mail through contract with the Post Office Department. The compensation, although there is a maximum in the law, is fixed by the terms of the contracts, and it is based upon the weight of the mail transported, with one exception. In the so-called railway post-office cars—the traveling post offices—where mail is assorted for ultimate delivery, there is a payment that does not depend upon the weight of the mail, but this exception is limited to cars or apartments 40 feet or more in length.

The total compensation, speaking in round numbers, paid by the Government to the railway companies of this country annually, is \$60,000,000—a sum so vast that it at once challenges the interest of every Senator and every citizen. There has been, as I remarked a moment ago, a continuous controversy about the compensation that should be paid and the basis or standard which should be adopted in order to arrive at the annual payment, for nearly 40 years. For 35 years it has been an active dispute in Congress and between the Post Office Department and the several common carriers.

Aside from the almost innumerable congressional investigations that have taken place—and they have occurred almost every year—there have been at least five careful, exhaustive inquiries made by special committees or commissions.

First, through what is known as the Hubbard Commission in 1878; second, through what is known as the Elmer-Thompson-Slater Commission in 1883; third, through what is known as the Wolcott-Loud Commission in 1901; fourth, through the Post Office Department itself, carried on principally by the then Postmaster General, Mr. Hitchcock; and fifth, and the most elaborate of them all, by the joint committee of the two Houses, raised I believe in 1911 or possibly a little earlier than that, composed of men who were highly skilled in the subject and who gave to the investigation the most deliberate and protracted attention.

Notwithstanding all these investigations, each of which was followed by a report, the controversy is as active, as unsettled, as uncertain as ever before. We have not advanced a single step toward the adjustment of any single point in the controversy, either as to the amount that should be paid to the railway companies from year to year or as to the basis on which the compensation ought to be ascertained.

Mr. HUSTING. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. CUMMINS. Certainly.

Mr. HUSTING. Was there not some recent report in favor of the so-called space system?

Mr. CUMMINS. Yes, sir. What commission?

Mr. HUSTING. Some of the commissions or all of them.

Mr. CUMMINS. Some of them have. Some of them have not. The last commission, which is known generally as the Bourne Commission, because he happened to be chairman of the committee at the time it was organized, reported specifically in favor of the space basis. Others have reported in favor of the weight basis; two of them, I think, reported in favor of a combination of the two. But the space basis as compared with the weight basis is still in violent controversy. Some people, very good people, too, believe in it. Other people do not believe in it.

The railways as a whole are very much opposed to it, as is evidenced by the hearings. Many of the experts who have no interest in the matter on either side are opposed to it. Some are in favor of it. I venture to say that there are not to exceed one-half dozen Senators on this floor who at this moment are prepared to declare either for or against it.

Mr. HARDWICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. HARDWICK. I suggest to the Senator from Iowa that the Post Office Department itself concedes that in the case of small railroads carrying pouch mail the space system would not do at all, and they had to provide an exception from that system for that portion of the mail.

Mr. CUMMINS. That is quite true; but I am not here to espouse either basis. I have an opinion with regard to the matter, but I confess it is an opinion upon which I would not dare to ask the Senate to act. It is an opinion which I would not venture to impose either upon the Post Office Department or the railways.

My amendment does not attack the weight basis; it does not attack the space basis. It simply declares that we are not qualified to determine what the compensation of the railway or the carriers who transport mail should be. I do not believe there are many Senators who have given to this subject more continuous study than myself. I have tried to make it an impartial study. But if I were asked to declare what the railway companies of this country should receive for the service they render the Government I would be compelled to say that I do not know. My amendment proceeds upon the hypothesis that, whether we take the weight basis or the space basis, there is another tribunal organized for the specific purpose of ascertaining a fair reward or rate that the railway companies ought to enjoy or receive for their service, and to that tribunal we ought to submit the question.

Mr. HITCHCOCK. Mr. President—

Mr. CUMMINS. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I wanted to ask the Senator whether he is offering his amendment as a substitute for the committee amendment? I have not understood exactly the situation.

Mr. CUMMINS. There are parts of the Senate committee amendment which are so far removed from the subject that I am discussing and which my amendment embraces that I have not offered my amendment as a substitute for the entire committee amendment. I have offered it for a part of the committee amendment, and that part is specified in the beginning of my amendment.

Mr. HITCHCOCK. I do not fully understand the difference between the Senator's proposition and the proposition of the committee, which is also before the Senate. Each seems to provide that an investigation shall be made by the Interstate Commerce Commission, that hearings shall be had, and that pending those hearings no change shall be made in the present law. Is that correct?

Mr. CUMMINS. The Senate committee amendment proposes a change in the present law, which I do not disturb, but the difference between the Senate committee amendment and the House bill as well, because they are both open to the same



objection, and my amendment is this. Both the House bill and the Senate committee refer the subject to the Interstate Commerce Commission for an investigation and report, and then Congress can accept the report or can reject it. There will be nothing whatsoever settled. Our past experience demonstrates, if it proves anything, that we will not necessarily accept the report of the Interstate Commerce Commission. The subject will still be open for debate and decision; Congress will still be called upon to determine what rate is fair and reasonable; whereas my amendment puts the Government of the United States in the hands of the Interstate Commerce Commission, precisely as we put every citizen of the United States in the hands of that commission, and when the commission declares what is reasonable compensation it binds not only the railway companies but binds the United States as well, and that is thereafter the compensation to be paid for the service rendered. That is the difference, and that difference is as wide as the sea. There is nothing at all settled either by the House provision or by the Senate committee amendment.

Mr. THOMAS rose.

Mr. CUMMINS. I yield to the Senator from Colorado.

Mr. THOMAS. It was precisely that defect in the Senate committee amendment to which my amendment was directed, but I am so much better satisfied with the amendment more carefully prepared by the Senator than with mine that I shall support his amendment with a great deal of pleasure.

Mr. CUMMINS. The amendment offered by the Senator from Colorado would do just exactly what I propose. It is not worked out in quite as much detail. My purpose is to commit this subject to the Interstate Commerce Commission, believing that it will act fairly both for the Government and for the railways, and when it does act the compensation will be paid and the great, vexatious controversy will be removed from Congress.

Mr. HITCHCOCK. I got the impression from the reading of the Senator's amendment that it contemplated hearings and the possibility that the rate, instead of being a flat rate for the whole country and all railroads, might vary with different railroads and in different sections.

Mr. CUMMINS. That depends entirely upon the Interstate Commerce Commission. In my judgment, we can not compel any railroad company by any form of words that we may use to render a service to the Government for less than a fair compensation. We ought not to require it if we could, and we could not require it if we would. Therefore, when this subject comes before the Interstate Commerce Commission—as it would come under my amendment—it investigates the whole subject and every railway and lays down and establishes a rate for the transportation of mail.

I hope Senators will not confound the compensation we pay to the carrier and the compensation which the Government exacts from the public for transportation. We can do what we please with regard to the latter. We can send mail throughout the whole country for nothing if we desire to do it. We may continue the most unjust and indefensible subsidy to second-class matter and lose \$60,000,000 every year in carrying this matter. We can continue that if we will, but when the Government comes to deal with a railway company then it must pay a fair, reasonable compensation for the service it demands. It ought not to pay more, and under the law the railway company can not be compelled to accept less.

Mr. VARDAMAN. Mr. President—

Mr. CUMMINS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. Does the Senator from Iowa hold that the Interstate Commerce Commission would be more inclined to deal justly with the carrier than Congress, whose duty and whose right it is, and which it has exercised from time immemorial, to fix these rates?

Mr. CUMMINS. I think so, Mr. President. Congress can not fix a rate. We do not know enough to fix the rate.

Mr. VARDAMAN. As to the purpose, as I understand it, the Interstate Commerce Commission would gather the data upon which Congress could base its conclusions. I can not see how the Senator can reason it out so as to reach the conclusion that Congress would be less likely to do its duty to the railroad companies than the Interstate Commerce Commission in fixing the rate.

Mr. CUMMINS. I hope that both Congress and the Interstate Commerce Commission have an eye single to the public welfare, but the proposal of the House as well as the Senate committee is that the Interstate Commerce Commission shall investigate and make a report. It will then be for Congress to fix a rate. It may accept the report of the commission, it may not, and nothing whatsoever is settled.

Mr. VARDAMAN. If the conclusion of the Interstate Commerce Commission is correct, if it is fair, if it is just—

Mr. CUMMINS. Who is to determine that?

Mr. VARDAMAN. Congress.

Mr. CUMMINS. Precisely. Well, I want the commission to determine it, because I think we ought to have the same confidence in the commission with respect to the service which we require as a Government that we compel the citizens of this country to have in the establishment of rates which they must pay. Suppose the interstate-commerce act provided that before the commission fixed any rate it should report to Congress, and then we should legislate upon the question and either establish the rate or some other, does the Senator from Mississippi think that would be an efficient regulation of transportation?

Mr. VARDAMAN. The question of railroad rate regulation is a matter of almost infinite detail, while the question of railroad mail pay has been worked out with fair success by the Congress. I understand that Congress has universally from time immemorial fixed the rate for carrying the mails, and I have not seen any marked abuse of that function to the detriment of the railroad companies.

Mr. CUMMINS. As a matter of fact, Congress has not fixed the rate, and it does not fix the rate in this bill for all practical purposes. Let me point that out. Take the provisions of the House bill. These provisions fix a certain rate per mile for a certain space. The language or the phraseology of the act is not exceeding a certain sum per mile. But the act immediately proceeds to give the Postmaster General authority to either increase the amount or decrease it. So the legislation proposed by the House in effect gives to the Postmaster General absolute, uncontrolled discretion with respect to railway mail pay, and the limitation will be of no avail whatsoever.

Moreover, the House provision requires the railway companies to accept whatever rate may be fixed by the Postmaster General, and if they do not accept they are to be fined \$5,000 every day. To me a provision of this sort is more objectionable than the despotism of any country on earth. I can not understand how it can be vindicated or justified by anyone; but what I am now saying does not apply to the Senate committee, because it has attempted to eliminate those provisions from the House bill.

Mr. NELSON. May I ask the Senator from Iowa a question?

Mr. CUMMINS. Certainly.

Mr. NELSON. I have not examined the Senator's amendment. Does it provide for an appeal from the decision of the Interstate Commerce Commission the same as in rate-making cases?

Mr. CUMMINS. Precisely; it is so intended.

Mr. VARDAMAN. We could not hear the Senator from Minnesota.

Mr. CUMMINS. There is no provision in the present law—

Mr. NELSON. I will repeat my question, so that the Senator from Mississippi may understand it. I asked whether the amendment provides for an appeal in this case as in other rate-making cases before the Interstate Commerce Commission? Is there an appeal to the courts?

Mr. CUMMINS. I think it would permit the same review, although the present law does not permit an appeal. Under the present interstate-commerce law if the rates are confiscatory the railway companies can bring a suit for an injunction and in that way the validity of the order of the Interstate Commerce Commission is tested, but under the present law the shipper has no remedy whatever. The decision of the Interstate Commerce Commission as to the shipper is final.

Mr. NELSON. I am aware of that fact, but here is the point. In an ordinary rate-making case there may be an issue between the railroad company and the Interstate Commerce Commission as to whether the order of the commission is valid and not confiscatory.

Now, take this case. Suppose the Interstate Commerce Commission fixes the rate for the transportation of mail and the railroads object to it and say the rate is not sufficiently high, that it is not compensatory, in other words, does the Senator's amendment provide for an appeal in such a case?

Mr. CUMMINS. Not an appeal. There is no such thing, as I understand it.

Mr. NELSON. I am using the term in a general sense. I mean does it provide for a review by the court?

Mr. CUMMINS. It does not specifically. There would be the same remedy precisely under my amendment for the railway companies that now exists in the case of the establishment of a rate for a private shipper.

Mr. NELSON. Does the Senator's amendment provide for that?



Mr. CUMMINS. I think so. It is provided for in just the same way the present law does.

I now recur to the question that was debated and considered principally in the various investigations which I referred to a moment ago. In all of them the principal question, the principal dispute concerned the merit of the space basis as compared to the weight basis. My amendment does not involve that dispute at all. The Interstate Commerce Commission will be at perfect liberty to adopt the one basis or the other or adopt both. If we were to enter upon an inquiry and debate here respecting the merits of the space basis as compared with the weight basis it would be never ending.

I venture to say that within the last 38 years there have been 10,000 pages of testimony taken before the various committees and various commissions relating to that one question. But after you have settled that issue you have settled nothing, so far as compensation is concerned, for if you adopt a weight basis you must then attach a certain charge for a certain weight of mail. If you adopt the space basis you must also attach a certain charge for carrying a certain car a certain distance. So the real question in which we are interested is not elucidated by the adoption of the one basis or the other.

At any rate, my amendment does not purport or attempt to settle that very difficult and intricate question, and I repeat that I do not believe there are a half a dozen Senators in our whole body who are competent now to decide that first controversy, namely, whether the standard should be space or weight. The reasons given on either side are very persuasive and it is not an easy matter to determine; but suppose we had determined in favor of weight, how much, then, should be charged to carry a hundredweight of mail? Is there a Senator here who knows? No; there is not one. If we adopt the space basis, how much should we pay the railway companies for carrying a 60-foot car a mile? The House bill attempts to settle that, or, at least, it establishes a maximum rate; but I ask again whether there is a Senator here who knows and is willing to declare by his vote how much the railway companies ought to receive for carrying a car 40 feet or 60 feet in length a mile?

Mr. HUSTING. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. CUMMINS. I yield.

Mr. HUSTING. I ask the Senator if he does not think the rate paid by packers and others who have privately owned cars and run them over the railroads, the amount per foot per mile that they pay, might furnish some criterion of what the Government should pay?

Mr. CUMMINS. I do not think so. I have examined the testimony with a great deal of care, and there are many suggestions, although I may say in passing that the testimony which is devoted to the proper charge per mile for a railway mail car is almost negligible as compared with the testimony on the merits of the two bases. But throughout all this testimony there is now and then a suggestion as to the proper comparison. Some have compared it with the fast freight; some have compared it with express matter; some have compared it with passenger space; but I am bound to say, after the most deliberate and reflective study, I do not know what it ought to be. It may very well be that the sum fixed by the House bill is altogether too large. It may be that it is altogether too small. It is a subject that we are not qualified to vote upon, any more than we are qualified to vote upon a freight rate from New York to Chicago on coal, meat, wheat, or any other commodity which may be transported from one part of the country to another.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Iowa yield a moment?

Mr. CUMMINS. Certainly.

Mr. MARTINE of New Jersey. The Senator from Iowa is in doubt as to just what the rate should be, and I can sympathize with him in that respect. I think the committee generally had no thought as to what the rate should be, but favored referring the matter to the Interstate Commerce Commission, in order that they might thrash it out. However, as to the system, whether the rate shall be determined on a basis of space or weight, what is the Senator's opinion on that?

Mr. CUMMINS. If I were doing it myself—although I said a few moments ago that I would not venture to ask this Government to take the course which my opinion might now suggest—I would have a combination of both.

Mr. MARTINE of New Jersey. I will say for myself that my first impression was when the matter was before the committee that the rate should be governed by weight. It seemed to me that that was the practical and sensible solution of the matter. Afterwards, however, during the course of the hearings before the committee, the Senator from Iowa, who is a

member of it, will recall that the presidents of a number of farmers' granges throughout the country appeared before the committee and with the most remarkable unanimity pressed the weight system; they had no thought of the space system. I asked a couple of those gentlemen, who were presidents of granges, how it was that they with such uniformity were pressing the weight system, and finally, after a great deal of circumlocution, they admitted, in answer to my question, that presidents and other officials of railroads had even deigned to come before the farmers' granges and to tell the farmers it was their incumbent duty to come down before the Post Office Committee, which was formulating this bill, and to advocate the weight basis as against the space basis.

Mr. VARDAMAN. Mr. President, if the Senator will yield to me for just a moment, I will say that I think he is at fault in his recollection of just exactly what those gentlemen said. They were here not asking for the weight system but asking that this matter be referred to the Interstate Commerce Commission.

Mr. MARTINE of New Jersey. That is true; but they said that their primary motive was to secure the adoption of the weight system. I asked them, "How is it that you gentlemen have left your occupation of agriculture, of the tillage of the earth in order that it may bring forth bountiful crops, and now project yourselves into this intricate problem?" "Well," they said, "it is very plain to the presidents of the agricultural granges. The railroad presidents told us that it was our duty to come here and make known our desires and their desires. They further told us, as a reason for it, that if the space system were adopted the railroads were going to charge every farmer higher freight rates for his potatoes and his wheat." So these voracious creatures, fattened to richness, finally made up their minds that the only way to lambaste the Congress of the United States into their way of thinking was to go to the farmers and to inspire them to tell the Senate of the United States that, if they did not adopt this method, there would be an increased rate imposed on their potatoes, on their corn, and on every other commodity which they raise. That made me very quickly transfer my adherence from the weight system to the space system; and I believe to-day there is every reason for it in justice, and every reason in the experience of other countries; for, so far as I have examined the subject, every country which has tried the space system has adopted that instead of the weight system. The attitude of the unscrupulous men who went to these dependent and helpless farmers—whose crops and products of the earth, however much they may raise, amount to nothing unless they can transport them to the market of the consumer—made me believe that our true course was to stand for the space basis instead of the weight basis.

Mr. CUMMINS. Mr. President, I can understand the deep feeling of the Senator from New Jersey on that question and how conclusive the reason that he now gives is for his change of mind. I can see, of course, how conclusive the misconduct on the part of the railway companies in bringing these helpless and innocent farmers here to sustain their theory is in favor of the space basis; but speaking seriously it does not appeal to me in that way any more than the similar effort—quite as indefensible—made by the Post Office Department itself in sending out telegrams to all postmasters of the country to forward dispatches to all Senators asking them to sustain the Post Office Department in its proposal as to railway-mail pay and as to rural mail routes. I think both campaigns are overworked; I think both are to be criticized; and I do not criticize one any more than the other; but really I am unable to see how the suggestion just made by the Senator from New Jersey affects my proposal that the Interstate Commerce Commission shall be given the authority to fix the compensation for the Government, exactly as it fixes the compensation for me or for him.

Mr. MARTINE of New Jersey. I desire to say that I never understood that this provision proposed to give the Interstate Commerce Commission authority to absolutely fix the compensation, but that it proposed to refer the whole subject to them, their action to be submitted for ratification to the Congress of the United States. It seemed to me that the wisdom of the reference was that such questions are in the line of their business. They have no conventions to attend, as the Senator from Iowa has and as I have; their minds are undivided and fixed on this one proposition. Hence they can deliberate with infinitely more wisdom and justice than can any of the rest of us. So I agree to that.

The Senator refers to the Post Office Department having sent out telegrams to influence the action of Congress in favor of their contention. I was not aware that the Postmaster General took such action; but there was a gentleman in a lower



official position who did presume to send letters to me and to other Senators and to many other persons, telling them what their path of duty was. I recall that for one I was very rebellious at his suggestion, and I feel so yet. I feel that there should be some example made in the matter.

Mr. CUMMINS. Mr. President, it seems to me that the natural effect ought to have been a reconversion of the Senator from New Jersey to the weight basis. If that sort of influence had the effect of changing him from the weight to the space basis, the other instance of lobbying ought to have returned him to the weight basis; but I do not believe the Senator from New Jersey was here when my amendment was read.

I am discussing an amendment that I have proposed which is intended to clothe the Interstate Commerce Commission with the authority to say—and to say in an authoritative way—what the compensation shall be. I am not discussing the merits of the weight basis as compared with the space basis. I would not venture, as I have repeated now twice, to express an opinion upon that subject that I should expect to govern either my fellow Senators or to govern the Post Office Department. I am not well enough satisfied upon that point to have a fixed opinion; and much less have I any opinion as to the amount that ought to be paid for space, if that be the standard adopted.

Mr. MARTINE of New Jersey. I do not think any member of the committee had that thought.

Mr. CUMMINS. I am sure that statement in itself is the most potent argument for my amendment that I have heard.

Mr. HARDWICK. Mr. President, will the Senator from Iowa yield to me for a moment?

Mr. CUMMINS. I yield.

Mr. HARDWICK. I merely wish to state to the Senator from New Jersey that the committee proposition was to refer this matter to the Interstate Commerce Commission, directing that body to report back to Congress as early as possible, just as he thought; whereas the amendment proposed by the Senator from Iowa is to refer the proposition, as I understand, to the Interstate Commerce Commission with full authority to act finally in the matter, and to determine what is reasonable and just in the way of rates.

Mr. CUMMINS. Precisely.

Mr. HARDWICK. The Senator from New Jersey seems to have been a little confused.

Mr. CUMMINS. The Senator from New Jersey was not present when my amendment was read.

Mr. President, I want to call attention just for a moment to the difference between the House provision and the Senate committee amendment. The House bill adopts the space basis; fixes a maximum compensation; gives the Postmaster General authority to both increase and reduce that compensation; gives him the power to fine the carriers if they do not obey his directions; compels the railways to render the service; and for every violation they are to be fined not exceeding \$5,000. Finally, either the Postmaster General or the railways, represented by at least 51 per cent of the mileage, may apply to the Interstate Commerce Commission for a report. It also provides for a hearing before the Interstate Commerce Commission. Then, after the commission reports, the Postmaster General is to fix whatsoever rate he desires. That is the House bill.

The Senate committee amendment strikes all that out; continues the present plan, provides for annual weighing, if the railway companies will pay the expense, under the direction of the Postmaster General; requires the Interstate Commerce Commission to hold hearings on the whole subject, and to report to Congress.

If that amendment were to prevail, there would be no rate fixed until Congress had at some future time acted upon the subject. As I remarked a few moments ago, knowing what I do about the disposition of Members of the Senate, at any rate, their independence, their disinclination to follow leadership, I would have no hope that the report of the Interstate Commerce Commission would receive more than a passing glance, just exactly as every other commission which we have created reports to Congress, and its report lies in the archives of the body until it is covered with the dust of years, without a single reader.

How many Senators ever read the report made by the distinguished commission which I mentioned a few moments ago, created in 1911, I think—possibly in 1910—a joint committee of the other House and of the Senate; a committee which spent two years or more in the most careful inquiry ever carried forward respecting the subject? I will venture to say that there are not a half dozen Senators in this body who ever read the report; that there are not a dozen who now know what is in that report. It will be just so with the report of the Interstate Commerce Commission.

Mr. VARDAMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. VARDAMAN. Are we to conclude that the Senator's argument is leading him to the point where he thinks commissions created by Congress ought to direct Congress in its legislation? For instance, if a tariff commission shall be created, does the Senator from Iowa think that Congress ought to delegate to that commission the right to fix tariff rates?

Mr. CUMMINS. Is the Senator from Mississippi asking me the question?

Mr. VARDAMAN. I was asking the Senator that question. I take it the purpose of the Senator's argument is to show that the mere investigation of this commission and its reporting to Congress would have no effect upon the minds of the Congress in legislating upon this question.

Mr. CUMMINS. No; I did not say that.

Mr. VARDAMAN. The question of the tariff is quite as intricate and difficult of solution, it seems to me, as is the fixing of railroad rates; Congress, I hardly think, will delegate the function or power to a commission to fix the tariff; yet I can see where great advantage would be derived by the creation of a nonpartisan commission charged with the duty of making a scientific investigation of the tariff question and reporting the result of its investigation to Congress to assist and guide the Congress in legislating. The same, I think, would be true with reference to any action of the Interstate Commerce Commission upon this question, leaving then to Congress, the representatives of the people, to finally determine whether the rates are just or unjust. I for one think that one of the real dangers to the future of this Government and the permanency of our institutions is the delegation of legislative authority to bureaus and commissions. The closer we keep the Government to the people, the more responsive will the Government be to the public judgment. The farther the Government is removed from the ballot box, the more liable are its functions to be prostituted to private personal ends.

Mr. CUMMINS. Mr. President, we have not delegated legislative authority to the Interstate Commerce Commission. We can not delegate legislative authority to any commission or to any body of men.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me—

Mr. CUMMINS. Just a moment, I trust the Senator will allow me to answer him before he proceeds. If there is no difference between a tariff commission and the Interstate Commerce Commission, there is much force to the argument of the Senator from Mississippi.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me, I did not say that there was no difference.

Mr. CUMMINS. I will not yield just now. I will ask the Senator to allow me to answer him.

Mr. VARDAMAN. I merely desired to ask that the Senator would quote me correctly.

Mr. CUMMINS. I wish to answer the Senator from Mississippi before he proceeds with further suggestions. There is a vast difference between a tariff commission, as we understand it, and the Interstate Commerce Commission. If we could establish for a tariff commission a standard, a rule, by which the commission could determine what our import duties should be, I, for one, would be very glad to do it. If a Republican majority were in possession of Congress, that standard would be adequate protection, the difference between cost of production at home and abroad, or some other rule of that character. If we could do that, then I would be content to see a tariff commission determine what the duties should be; but if a Democratic majority is in possession of Congress, it will not accede to that rule; it has another rule; and therefore it is impossible to remove the subject of a tariff from politics, because the standard applied is different as majorities come and go, and all that we can secure from a tariff commission is an investigation and a report of facts, so that we can take a rule—whatever rule may recommend itself to Congress at the time the question is before us—and apply it to those facts.

It is not so with the Interstate Commerce Commission. We have established a rule—a standard—for the Interstate Commerce Commission. It does not exercise legislative authority; it does not exercise judicial authority, although it has what is sometimes akin to judicial authority. We have declared that the railway companies shall charge the people of this country for the service rendered a fair and reasonable and nondiscriminatory rate.

That is our rule; and we have said to the commission, "Take the facts in any particular instance; apply this rule to the facts;



and declare what is a reasonable nondiscriminatory rate or practice." We do not ask Congress to review the application of this rule to the business of the country. We understand perfectly that we are incompetent—and I say that without any disparagement—to apply the rule to the facts even though the facts are easily gathered and understood. For instance, suppose that at the time of the application of the railway companies, first made in 1910 and repeated or renewed in 1913, for an increase of an average of 5 per cent upon their rates, the law had been that the commission should inquire into the facts and report to Congress, into what chaos we would have been plunged. Such an arrangement would be utterly impossible; and it is just so with the railway-mail proposition. We are not qualified, by reason of our training, or want of training, and by reason of our absorption in a thousand other duties, to apply the rule to the facts.

My amendment simply lays down the proposition—and no one can complain of it, I am sure—that the railways of this country shall carry the mails, in so far as they are required to carry them, for a fair and reasonable compensation. No one will dispute that. Now, who is to determine what is a fair and reasonable compensation? The Senator from Mississippi [Mr. VARDAMAN] says that that must be determined by Congress. Heretofore it has been determined by the Postmaster General. I believe it ought to be determined by the Interstate Commerce Commission. For instance—

Mr. HUSTING. Mr. President—

Mr. CUMMINS. I yield to the Senator from Wisconsin.

Mr. HUSTING. I should like to ask the Senator from Iowa whether he does not see some distinction in the situation? The Interstate Commerce Commission determines rates as between private individuals and the common carriers. The question now before the Senate is a question of making a contract between the United States itself and the common carriers. Is it a matter that should be submitted to a commission to determine, or is it purely a matter of contract with the railroad company, to be executed by the United States through its officers?

Mr. CUMMINS. Mr. President, I think the Senator from Wisconsin misunderstands both the House bill and the Senate committee amendment or I misunderstand them. It is not a question of contract at all. Neither bill nor amendment provides for a contract with the railway companies; and in that respect I am in entire sympathy with both the House bill and the Senate committee amendment. I do not believe it ought to be a matter of contract. I think the railways of this country, by virtue of their organization and by the service which they proclaim, are bound to carry the mails if tendered by the Government, just as they are bound to carry passengers and freight when required by proper tender, and their compensation for the service ought not to be fixed by any contract; it ought to be fixed upon precisely the same basis as the compensation for every other service is fixed.

I will come to a view of the matter taken by the Postmaster General very soon. It will raise a very difficult and very interesting question, and it is somewhat akin to the view that may be inferred from the question put by the Senator from Wisconsin [Mr. HUSTING]. I may as well do that now. It will be, I think, logical before passing to a further discussion of the specific questions raised by my amendment to refer to a fundamental proposition which Congress must adjust and which it must adjust now. It can not postpone the settlement of the question I am about to state.

There are two conflicting views with regard to the relation between the Government and the common carriers or the railways of the country. One view is well expressed in a report made by the Postmaster General for the year ending June 30, 1913, which I take the liberty of quoting. It is found on pages 21 and 22:

The determination of what shall be the basis for ascertaining a fair rate of compensation for carrying the mails is not free from difficulties. From a careful consideration of the subject it becomes evident that the carriage of the mails by the railroad companies for the Government can not be considered as of the same character of service as that performed by them as common carriers for the general public. The railroads have received certain benefits from the States from which they derive their corporate existence—

And, in passing, I may say it is plain that the Postmaster General there refers to the franchise of a corporation under the law of a particular State—

and their interstate commerce is subject to the regulation of the Federal Government. Some of them have received substantial aid from the Federal Government by grants of lands and otherwise. They are declared by law to be post roads. As mail carriers they are agencies of the Post Office Department and are performing a governmental function. The postal business is not carried on by the Government for profit but in furtherance of the constitutional power to establish post offices and post roads under which it furnishes postal facilities to all of its citizens. The railroads, therefore, may not deal with the Government

as they would with a shipper who uses their facilities as a common carrier for profit or for some special advantage. Furthermore, the general business which sustains a railroad is to a large extent dependent upon the mails and their certain and expeditious transportation, and the carriage of the mails by the railroad contributes to its prosperity to an extent and in a manner which does not obtain for any other class of its business. From these and other considerations it follows that rates for carrying the mails on railroads should be less than those which might be fixed for commercial business.

When the data in hand and now being secured by the department are thoroughly considered and analyzed the Postmaster General will lay before the appropriate committees of Congress the conclusions reached as to what will be just and adequate compensation for all services which the railroads are rendering or will be called upon to render the Government for mail transportation.

Mr. President, as I remarked a moment ago, this extract presents a fundamental inquiry which we must settle in the passage of this bill. I dissent wholly and completely from the view expressed by the Postmaster General. I do not believe that the railway companies can be compelled to carry the mail for less than a fair compensation for the service. I think any attempt of that sort would be unconstitutional; and, furthermore—which is of even more importance—I believe it would be unwise in the last degree for the Government to attempt to require the railways of the country to carry the mails for less than a fair compensation, for the reason that in just so much as the Government falls short of paying the railways that proportion of a lawful revenue, it must require the shippers of the country to supply the deficit; and in just so much as the Government overpays the railways, in just so much are the private shippers of the country relieved of a burden which they ought to bear, or which the commerce of the country ought to bear.

I do not intend to dwell at any considerable length upon the constitutional aspect of the case, although the whole House bill is founded upon the assumption that, if the Government desired to do it, it could compel the railways of the country to carry the mails for nothing; and, indeed, if there is not to be a fair compensation paid, fixed in some judicious and satisfactory way, I would vastly rather see the railways compelled to render the entire service without any compensation at all, and distribute the burden among the people of the country who have occasion to use the railways for commercial or business purposes.

But I am unalterably opposed to the whole theory. The railway companies of this country are under no obligation to carry the mails other than the obligation which arises out of their function as common carriers, out of the power and authority of Congress to declare their railways post roads; and the Government of the United States can no more require a railway to carry the mails for less than adequate compensation than can Congress require the railways to render service to a private shipper for less than a fair and reasonable compensation. There is no other relation than that; and the inevitable consequence of the view taken by some of the advocates of the House provision will be in the end to give the railways of this country vastly more than fair compensation. I have been impressed with the conclusion that they are getting more now than they ought to have, although the compensation is not either fairly or decently distributed among the several common carriers. In my judgment—although it is not one upon which I would be willing to act as a legislator—some of the railway companies receive more than they ought to receive and some of them are receiving far less than fair compensation.

But my real objection to the view taken by the Postmaster General—and that is, in a way, found in all the provisions of the House bill—is this: The carriers of this country are now being regulated along perfectly well-known lines. Our experiment in controlling the rates of the railways of this country has advanced to a point where the rules which determine the adjustment are well known, however difficult they may be of application.

I am not prepared to abandon the experiment. I believe it is successful—as successful as we find any other effort in dealing with a most complicated and difficult system. The rule is this, as now well understood everywhere: That a railway is entitled to rates that will reimburse it for maintenance and operation, preserving the property in the same condition or in as good condition as when the service began. It is entitled to its fixed charges, its taxes, its assessments—everything that the law imposes upon the property and that must be paid. It is entitled, then, to a surplus—there may be a little difference about the extent of the surplus—a surplus that may be applied to reasonable dividends upon its stock and that will also accumulate a fair sum to tide over an unfortunate or unsatisfactory year. Whenever the Interstate Commerce Commission comes to ascertain whether or not a given rate or system of rates is fair and reasonable, that is the rule to be applied—now conceded by everybody.

With regard to this matter, the railways which carry the mail must have that revenue. They ought not to have more, but



they must have enough to satisfy these lawful demands; and whatever the Government does not pay for the transportation of the mails the people of the country must pay. If we adopt a system under which the railways are underpaid, the railways are not ultimately injured. They do not sacrifice anything. They simply have credit in the grand accounting made by the Interstate Commerce Commission, or, to put it on the other side of the ledger, they are charged with what they receive from the Government, and the general public must make up whatever is required to enable them to pay the cost of maintenance and operation, their fixed charges, and fair return upon the value of the property.

Is it not perfectly obvious that the tribunal which is to make that accounting, which is to determine and which does determine from year to year, from time to time, what shall be the rates to be paid by the commodities which are transported from day to day, the tribunal which must ultimately say whether the rates on these articles are adequate or not, should also have the authority to say what the Government shall pay for the transportation of its mails? I repeat that I have been inclined to think that the Government pays too much; but it may not be so. I am not competent to judge. But it is in the highest degree illogical and absurd to say that the Postmaster General shall determine what the Government shall pay for the transportation of the mails, and then allow the Interstate Commerce Commission to make up what is required for the purposes I have described by increasing the rates upon the ordinary commerce of the land.

I see that the Senator from New Jersey [Mr. MARTINE] is giving me his attention; and I want to say to him again that the question I am discussing does not involve the space basis or the weight basis. I do not care which basis the Interstate Commerce Commission adopts. I want it to adopt whichever basis it finds most accurate or convenient in order to arrive at a just conclusion with respect to what fair compensation shall be. But I do most earnestly insist that the same tribunal which fixes the rates for the great public shall fix the rates for that public organized in a Government.

We disparage the Interstate Commerce Commission; it is a distinct reflection upon its capacity to withhold from it the power to do for our country in a collective capacity what we give it authority to do for us in an individual capacity.

Why is the Government of the United States entitled to more consideration than the farmer, who must appeal to the commission to ascertain at what rate his grain shall be shipped from his fields to a market? There is no reason, and it would relieve the whole question of the uncertainties which have surrounded it now for more than 30 years.

It is manifest, Mr. President, that the compensation for the Government service must be determined in one of the following ways:

First. By the railways. We can not adopt this view. I do not even want to give the railways the right which they now have, with regard to the general public, of fixing rates in the first instance. Everybody knows that when the amendments to the interstate commerce law in 1910 were being debated, I urged, with all the power I had, the policy of giving to the Interstate Commerce Commission the authority to initiate rates. I think it ought to initiate all the rates of the country. We never will have a harmonious, well-adjusted, fair system until the commission shall take up the question as it concerns all the railways of the country and all the traffic of the country and establishes rate sheets of its own. I do not believe in the present policy of authorizing the railroad companies to initiate rates, giving to the Interstate Commerce Commission only the authority to suspend them and to enter upon a hearing that may finally result in either reducing them or raising them; and I apply precisely the same principle to the railway-mail pay. This tribunal should determine the question in a proceeding—not a hearing, but a proceeding—begun by the Postmaster General, in which he shall set forth the service which he desires, the conditions under which it is to be rendered, and what he believes to be a reasonable compensation for it, answered by the railway companies, thus making an issue, an adversary proceeding, that can go forward to final conclusion with just as much certainty as can any proceeding that is brought at the present time by individuals or associations.

Second. By the Post Office Department. This would be unwise, for the interest of the Postmaster General is too direct and immediate. It would be the equivalent of permitting the purchaser to fix the price of the thing he buys. I do not believe in it. I have no word of criticism upon the Post Office Department; certainly none upon the present Postmaster General. I am quite ready to grant that he is an able, energetic man. He is dreaming of just one thing, I assume, or one thing and a

correlated thing—of rendering good service to the people of this country and requiring the railroad companies to render their service for the smallest possible amount. I do not think he cares whether it is compensatory or not, any more than I would care, if I were a private shipper, whether a rate I could obtain was compensatory or not. There are certain considerations which always rise above or fall below—I do not care which—these ethical rules. No man is a good judge in his own case. No man may be expected to render a just decision if his own interest or welfare is inseparably connected with the outcome.

I therefore am not willing to trust the Postmaster General with the power to fix rates, nor do I believe that any Senator ought to be willing to intrust him with that power, for there is no correction of his judgment; there is no recourse to the courts; nor can any railway company venture to disobey his order, for the penalty is a fine of \$5,000 each day, imposed by the Postmaster General himself.

Mr. BRANDEGEE. Mr. President—

Mr. CUMMINS. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Is there any more reason, in principle, why the Government should insist by legislation that the Postmaster General shall fix the amount that the Government shall pay for carrying the mails than for Congress to insist that the Secretary of War shall fix the charges for transporting the Army and all the munitions for the Army?

Mr. CUMMINS. None whatever. It is precisely the same thing. Of course, there are some railroads which, by virtue of their incorporation, are under a contractual obligation to the Government to do certain things at a certain price, or at a reduction below a common or given rate, but it would be just as fair to say that every railroad in the country should carry anything for the Government in any way, it matters not whether it is carried in a freight car or a passenger car, and that the particular officer of the Government interested in it should fix the compensation.

Mr. BRANDEGEE. Materials for all the public buildings, for instance.

Mr. CUMMINS. Precisely.

The third function or department of the Government that might fix the rate is Congress.

I do not believe that Congress is competent to do it, simply because it is a life study. It requires the training of years; and in this particular instance a just compensation for carrying the mails involves the inquiry as to just compensation for carrying all other commodities, for the aggregate revenue must accomplish a certain object, and it is utterly impossible to fix one without reference to the other. For instance, take the passenger rate. Mails are carried on passenger trains, ordinarily; and there has been an effort made to compare the compensation to be paid for carrying mails with the compensation received by the railways for carrying passengers. I think there is a fair basis for that comparison. It is not perfect. The parallel is not exact, but there is a fair basis for it. But suppose that the Interstate Commerce Commission believed that the passenger fare was too high or too low, as the case might be. If we are to adjust railway-mail pay upon the earnings from that source, then the power that fixes the mail pay must have the power also to fix the passenger fare.

Senators will remember that the Interstate Commerce Commission, in deciding the famous Advance-Rate case, suggested, and in fact afterwards held, that some passenger rates were too low, and the Interstate Commerce Commission has increased certain passenger rates. I know of a case in which it has divided a State into three or four parts and allowed a certain passenger fare in one part and a certain different passenger fare in another. It is obvious—I only mention these things to show—that Congress can not fairly and intelligently determine what ought to be paid. It may be that of the grand aggregate revenue we ought not to pay more than fifty millions, instead of sixty. It may be that we ought to pay seventy, instead of sixty, in order to relieve those who are now bearing more than their share of the tax that we ordinarily know as railroad rates.

Fourth—and it is the only other resort—is the Interstate Commerce Commission. It is organized for the very purpose of ascertaining what is a reasonable compensation for the services of common carriers. In a high degree it acts judicially. It is equipped with all the facilities for making such investigation. Its jurisdiction would be complete, and it could raise or lower rates on commodities of commerce, and thus establish true relations between the various services.

The fitness of the commission to deal with the subject is recognized by both the House and the Senate committee. The House proposes a reference, under certain circumstances, to the Interstate Commerce Commission, the report of the commission



to be simply advisory to the Postmaster General. The Senate committee amendment proposes a reference to the Interstate Commerce Commission, its report to be simply advisory to Congress. I invoke the provisions in both instances as showing that the Interstate Commerce Commission is the body to which men look for the ascertainment and the establishment of railway rates.

The only objection which can be urged to the amendment I have proposed is that the Interstate Commerce Commission is already overworked. I grant that we have already imposed upon the commission more labor than its members can well perform; but the way in which to remove that objection is not to deny the commission its just authority. It is not to withhold from it a power which it can exercise vastly better than can any other body in the country. It is either to take from it some of the work which we have imposed upon it, and which we ought not to have imposed upon it, or to enlarge the commission so that it can adequately perform its full duty.

I sincerely hope that this obstacle, which is temporary in its character, can be removed. It must not be enduring, or the commission will fail to perform the great functions which the people expect it to perform. With the removal of that objection, I appeal to Senators that if we want to do justice, as I am sure we do; if we desire to pay for the transportation of our mails a fair compensation, neither more nor less; if we want to remove from the Halls of Congress a vexatious controversy which has now raged for nearly 40 years, we ought to clothe the Interstate Commerce Commission with the power I have suggested by passing the amendment I have proposed.

Mr. SMITH of Georgia. Before the Senator takes his seat I should like to ask him if he does not think there are other features of the Senate committee amendment that ought also to be amended? There seems to be a provision for reweighing to be had on those lines where the railroads wish it, and not a reweighing on those lines where the railroads do not ask it. I favor letting the Interstate Commerce Commission pass upon these rates. We do not know what they ought to be. We can not learn unless we stop acting as Senators and spend a few years in studying the question. The Interstate Commerce Commission has been selected to consider such questions and have employed an able body of men, the ablest men, whose whole time is given to studying rates. What we wish is to pay the railroads a reasonable and fair compensation, no more and no less, but there seem to be limitations in the amendment of the Senate committee as to the mode of weighing and other things of that kind.

Mr. CUMMINS. I have not brought those things to the attention of the Senate because my amendment does not embrace those subjects. They are open, of course, to amendment. I have not considered the question of adjustment suggested by the Senator from Georgia with sufficient care to have a final opinion upon it worthy of being expressed, but after the adoption of my amendment all such questions are open to the Senate for consideration.

Mr. THOMAS. Mr. President, I am greatly impressed with the Senator's presentation of the reasons upon which his amendment is based, and particularly with the necessity of the adjustment or settlement of this difficult problem by those who are presumably better qualified to do it than any others. The subject is altogether too complicated and too difficult for a layman to properly determine, and, like a great many other subjects which come before us for final determination, we must, if we would do our duty properly, secure the best possible assistance from the best possible sources.

I have read, not perhaps as carefully as I should have done, but I have read with some care, the testimony which has been submitted by some of the various investigating committees which have had the responsibility of inquiring into and reaching a conclusion concerning the basis of railway mail pay and the rate of such pay after the basis has been determined. While I have some opinions upon the subject, they are not sufficiently grounded upon a knowledge of all the facts of the situation to justify me in presenting them as a basis of the vote that I might cast upon this question unless, of course, it becomes necessary to do it as a part of the discharge of my duties as a Senator.

When we consider that running through a number of years several successive bodies and officials have given their best investigation and thought to the subject, have made reports upon the subject which have not been entirely uniform, and that perhaps the majority of the Members of this body have not had the time or the inclination to read the reports, to say nothing of the testimony upon which they are based; and when we have a commission charged with the duty of regulating and

passing upon railway matters of which this is one, it seems to me that the amendment offered by the Senator from Iowa furnishes the best if not the only solution of the problem.

I offered an amendment this morning, somewhat crude in its character, because it was drawn hastily, the object of which was to make the action of the Interstate Commerce Commission conclusive when it had been reached, so that after the investigations, hearings, and all other matters that are necessary to reach a conclusion we should not take the time and subject the problem to the delay consequent upon a reconsideration of the matter by still keeping it an open subject of legislation. In other words, when the body to which this question is referred has passed judgment upon it that judgment should be a finality, so far as we are concerned, and we should then legislate with the light given us by that conclusion. Otherwise it would be a meaningless farce, it seems to me, to delegate to the Interstate Commerce Commission the duty of telling us what a fair method of railway mail pay consists of and then, instead of accepting it, open it for discussion.

I have been told by those who are in favor of the space system that one of the reasons why the railways are anxious to have the question relegated to the Interstate Commerce Commission is the delay which will result from resorting to that method of disposing of it, since after the report shall have been made to Congress the question will be as open and as undetermined as before, and that we can then consider whether the report is based upon specific testimony, whether its conclusions are logical, or whether it is in other respects open to still further consideration before we shall accept it either in part or in its entirety. I can see some force to that. If it be true—and I am neither affirming nor denying it—that the railways of the country are anxious to continue the present system of compensation, then certainly the longer that system can remain in force the better off they will be from their own standpoint.

Mr. MARTINE of New Jersey. They are a unit.

Mr. THOMAS. The Senator says they are a unit in opinion. I do not dispute that proposition; but if that be true, then after the Interstate Commerce Commission shall have told us what in its judgment is our best method of procedure, if we do not accept it the question is still as open as it ever was, and the old system, which my friend the Senator from New Jersey says is entirely and unanimously acceptable to the railway companies, will continue.

Therefore, as an evidence of earnestness of intention upon our part, I drew the amendment which was presented this afternoon to the consideration of the Senate, and which provides that the action of the Interstate Commerce Commission when made shall be final so far as legislation is concerned on the subject. But the amendment of the Senator from Iowa which he has presented here at considerable length accomplishes in a much better way, I think, the same end, since the Interstate Commerce Commission is endowed, according to my understanding of the law, with the power to consider the question of rates at any time their fairness is challenged after they have been fixed by legislation here.

Mr. POMERENE. The Senator certainly does not mean by saying that this rate will be final when it is fixed that Congress could not change it and adopt some different rule?

Mr. THOMAS. No. If we attempted to do that it would not, of course, bind our successors. I think it should be understood and emphasized by some expression in the law that our purpose in submitting this matter to the Interstate Commerce Commission is to secure their best conclusions after a full hearing, and then act upon it instead of receiving it and considering it as a subject of future debate and discussion.

Mr. SMITH of Georgia. As I understand the Senator his proposition is that when they find a rate it will go into effect without further legislation.

Mr. THOMAS. That is the result of the amendment of the Senator from Iowa, which makes it superior to the one which I offered. That is one of the aspects of his amendment which I think is better than my own. The railroads should not complain of that method, because they are insisting, according to the statements of members of the committee, upon the Senate committee's substitute for the House provision. If they are sincere in their belief—and I am not questioning it—that the best method of a final determination of the dispute between them and the department is the Interstate Commerce Commission, they certainly can not complain if we insist that when that decision is ascertained it shall be acted upon and that it shall not be a subject of future controversy.

I shall for the present withdraw the amendment which I offered in view of the amendment of the Senator from Iowa and the argument he has made upon it.



Mr. STONE. Mr. President, I rise more to get information than to debate the question. I have the amendment offered by the Senator from Iowa in my hand. It begins this way:

All common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions and with the service prescribed by the Postmaster General, and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith.

Then it proceeds to say that the Interstate Commerce Commission is empowered to fix rates, and so forth, of common carriers. We have intrastate common carriers and interstate common carriers. We have a stage line from Jefferson City to Tuscumbia. It carries mail a distance of 25 or 30 miles between the capital of my State and the seat of the adjoining county. Is it the intention to have the Interstate Commerce Commission deal with that?

Mr. CUMMINS. If the Senator from Missouri is asking me a question to be answered now, it is my intention. This amendment is not based on or does not invoke the power of Congress under its authority to regulate commerce among the States. It invokes a power that is just as applicable to an intrastate carrier as an interstate carrier. There is no difference in that respect. Of course, the Interstate Commerce Commission is selected as the tribunal, because it is now authorized and empowered to fix rates in common among the States, and therefore it seems to be the fittest body of men to exercise this power.

Mr. STONE. At present the carrying of the mail from Jefferson City to Tuscumbia is let by contract. There are bidders, and the lowest responsible bidder entering into bond is awarded the contract.

Mr. HARDWICK. If the Senator from Missouri will allow me—

Mr. STONE. I should like to know whether it is the purpose of this amendment to have the Interstate Commerce Commission add to all its burdens, already very great, the task of arranging the rate to be fixed for transporting mail over this vast country on routes such as I have indicated.

Mr. CUMMINS. May I answer the question from the standpoint of my amendment.

Mr. STONE. I yield to anyone who can answer it.

Mr. CUMMINS. No; I can answer it from the standpoint of my amendment.

Mr. STONE. It is the Senator's amendment, and I am addressing myself to his amendment.

Mr. CUMMINS. If the Postmaster General wants the common carrier between the two points mentioned by the Senator from Missouri to carry the mail, this amendment will apply to him or to it, and the rate for doing it will be fixed by the Interstate Commerce Commission. If the Postmaster General wants to contract to carry the mail, and have the mail carried by some other than a common carrier, it does not prevent the Postmaster General from doing just what he does now in certain instances.

Mr. STONE. Then I understand that a private citizen might underbid the stage line, which is a common carrier between these points, and take the contract. But that still does not answer the question I have in mind or the difficulty that confronts me. There are a great number of common carriers—stage lines, for example—scattered over this country, carrying passengers and express and all that from one point to another. I imagine they amount to thousands in the aggregate. I wonder if it is the intention of this amendment to have the Interstate Commerce Commission make a schedule or a list of all the multitude of common carriers between towns and communities in our several States and fix a rate for all of them.

Mr. BANKHEAD rose.

Mr. STONE. I yield to the Senator from Alabama.

Mr. BANKHEAD. Mr. President, I do not think the Committee on Post Offices and Post Roads, which framed the original proposition, ever dreamed for a moment—I do not think the idea ever entered the mind of a single member of that committee—that it would apply to anything except railroads, in one form or another.

Mr. STONE. Well, I am speaking to this amendment.

Mr. BANKHEAD. If the language of this amendment can be fairly construed to mean what the Senator from Missouri seems to think it does, then I think the author of the amendment would be very glad to change the language so that it could not properly have a construction like that put upon it.

The mail carriers referred to by the Senator from Missouri are on what are known as star routes. Whenever such service is desired an advertisement is published, and there are sent to the department sealed bids for carrying the mails—daily mails, triweekly mails, or whatever the advertisement may call for.

A contract is awarded, usually to the lowest responsible bidder, who is required, of course, to give a bond. That is the regulation.

So far as the class of mail referred to by the Senator from Missouri is concerned, I do not quite see how this amendment can be construed as applicable to conditions like that. I do not think it would be quite possible for the Interstate Commerce Commission, as suggested by the Senator from Missouri, to go out all over the country and provide regulations and conditions upon which the mail on these star routes should be carried. I do not think the Senator from Iowa [Mr. CUMMINS] intended that that should be the construction.

Mr. CUMMINS. It is entirely with the Postmaster General.

Mr. BANKHEAD. That is what I think.

Mr. STONE. No; it is not with the Postmaster General, begging pardon of my friend.

Mr. CUMMINS. If the Senator from Missouri is not willing to trust the Postmaster General, I do not know whom he can trust.

Mr. STONE. I beg the pardon of my friend. I am engaging in a debate here that I am very poorly prepared to carry on, for I have just read the provision, and am merely speaking about some things that flash on my thought as I go along. If this provision is added to the bill, whether by the consent of the committee or of the Senate or of Congress, it seems to me that when you say, "All common carriers are hereby required," and so forth, it is not confined to railroads, unless railroads are specified. I am simply suggesting this thought to the Senate.

Mr. CUMMINS. I want to have a full understanding with the Senator from Missouri about that. It is not confined to railroads by its present language; but the first paragraph says that the common carriers must carry the mails if they are offered, making that a general duty. If, however, the Postmaster General wants to hire somebody else to carry the mails, he has a perfect right to do so.

Mr. STONE. To be sure, he can on the star routes.

Mr. CUMMINS. Yes; certainly he can do so, just as he does now.

Mr. STONE. Conceding that that be true, still, so far as the stage carriers are concerned, the Interstate Commerce Commission must fix the rate at which they must carry, and if A or B wishes to underbid that rate and will give bond to carry the mail he can do so. I understand that; but the point I wished to submit to the Senate for its consideration was whether we thought it advisable to put the task upon the Interstate Commerce Commission of fixing the rate at which the mails shall be carried across the country by local common carriers—not railroads, but all kinds of common carriers of purely local character. I do not know; it may be all right; but it merely struck me, and I wanted to lay that thought before the Senate, that it is designed to impose a very heavy burden upon a very important commission, which seems to me to have all it can well do now in serving the public interests.

There is another consideration to which I desire to call attention and then I shall be through. To turn this matter over to the Interstate Commerce Commission in the manner proposed would be in effect to take from the Postmaster General the duty, the power, the right to make contracts for carrying the mails on railroads or otherwise. We take from one of the great departments of the Government a very important duty which it has exercised from time immemorial; we strip it of that power and confer it upon a commission.

I do not know why that should be done. I do not know that the Interstate Commerce Commission is any better qualified to say what should be charged by a railroad or by any other common carrier for transporting mail from one place to another than is the Post Office Department. That department has had long experience in this business. There have been ups and downs in respect to the administration of that power; but this amendment proposes to take this great administrative power, exercised so long, and, in the main, through the years, I think well exercised, from the Post Office Department, and to turn it over to a commission that has known nothing of it hitherto. It can educate itself in the course of time; it can go into the study of it—a study that has already been made by the Post Office Department for years and years.

Conditions change with time. As time goes along what ought to be charged to-day might not be a proper rate 10 years hence. Our experience in the past has been that rates have been changed from one period to another.

If we are going to take this function away from the department that deals with the subject and turn it over to a commission which was created to deal with something else in the main, then I submit to my friend from Iowa if this is a thought that



appeals to him: The Interstate Commerce Commission fixes rates on interstate commerce. We have boards in our States that undertake to perform the same duty within the States for freights and passengers. I emphasize the words "to fix the rates for freights and passengers." Their activities apply to individuals; they prescribe what the individual shall pay to have his cargo transported or what he shall pay for personal transportation from one point to another. That is the business of these commissions, State and National; but here we are dealing with a different question, as I see it. The Government of the United States—and I will apply the same thing in intrastate matters to the governments of the States—has a great organization; it transports freights, mails, and passengers; and I ask if it ought not to be allowed on its own account to make its own contracts on a basis somewhat different from that which the Interstate Commerce Commission or the State commissions prescribe for individuals? It rather seems so to me.

This Government spends tens of millions of dollars for carrying its mails. Is the Government to be put upon the same plane in dealing with that great question as the Senator from Iowa or myself might be put in sending a carload of wheat or of ore or whatever it might be to market? The Government is sovereign; it is over all; it makes the laws; it creates the commissions; and it seems to me it ought to be given a little larger degree of liberty in view of all the circumstances, and should be afforded the opportunity of making even better terms with the transporters of commodities than are fixed by commissions for individuals who transport but little. That is all I have to say.

Mr. BRANDEGEE. Mr. President, with relation to the comment of the Senator from Missouri [Mr. STONE] as to the power of Congress to deal with an intrastate carrier, as distinguished from an interstate carrier, it would seem to me that the provision of the House bill is at least subject to the same criticism, for that attempts to make no distinction whatever between interstate and intrastate carriers, but deals with all railroads.

Mr. CUMMINS. Mr. President, I do not believe that many of the difficulties presented by the Senator from Missouri [Mr. STONE] would arise, yet I have no desire that the little stage routes of the country should come within the provisions of my amendment. So I ask to insert in the first line of my amendment, after the word "All," the word "railway," so that it will read "All railway common carriers." I suppose I may do that by unanimous consent.

The VICE PRESIDENT. The Senator has a right to modify his amendment. The question is on the amendment of the Senator from Iowa, as modified, to the amendment reported by the committee.

Mr. CUMMINS. I think there was an understanding that there was not to be a vote on the amendment to-night.

Mr. BANKHEAD. If we have reached the point of voting on the amendment of the Senator from Iowa, under an agreement reached, I am going to ask the Senate to adjourn until to-morrow at 12 o'clock, and I make that motion.

Mr. POMERENE. Does the Senator move that the Senate adjourn or take a recess?

Mr. BANKHEAD. We can not take a recess, because exercises have already been arranged for to-morrow after the conclusion of the morning business.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5863) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Charles H. Bingham from Congressional Cemetery, District of Columbia, to Lock Haven, Pa.

The message also requested the Senate to return to the House the bill (H. R. 15282) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Charles H. Bingham from Congressional Cemetery, District of Columbia, to Lock Haven, Pa.

#### CHARLES H. BINGHAM.

The VICE PRESIDENT laid before the Senate the request of the House of Representatives for the return of the bill (H. R. 15282) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Charles H. Bingham from Congressional Cemetery, District of Columbia, to Lock Haven, Pa., and, without objection, the order was complied with.

#### LIGHTHOUSE AT SCITUATE, MASS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5910)

authorizing the sale of the lighthouse reservation at Scituate, Mass., which were, on page 1, line 4, after "sell," to insert "and convey"; on page 1, line 14, after "sixteen," to strike out all down to and including "fifty-nine" on page 2, line 2, and insert "pages 182 and 183."

Mr. LODGE. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### PETITIONS AND MEMORIALS.

Mr. DILLINGHAM presented memorials of sundry citizens of Jamaica and Stratton, in the State of Vermont, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the State Board of Dental Examiners of California, praying for an increase in armaments, which was ordered to lie on the table.

He also presented a petition of the Board of Supervisors of the County of Alameda, Cal., praying for Federal aid in the treatment of tuberculosis, which was referred to the Committee on Public Health and National Quarantine.

Mr. LODGE presented a memorial of the Friends of Irish Freedom, of Lynn, Mass., remonstrating against the execution of the leaders of the Irish revolt, which was referred to the Committee on Foreign Relations.

Mr. LANE presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORRIS:

A bill (S. 6413) granting an increase of pension to Angelia T. Mosier; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 6414) to authorize mining for metalliferous minerals on Indian reservations; to the Committee on Indian Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. SAULSBURY submitted an amendment proposing to appropriate \$2,500 to enable the Secretary of Agriculture to ascertain and pay the damages due to George P. Frederick, of Newport, Del., resulting from disinfecting his premises by Government inspectors during the outbreak of the foot-and-mouth disease in 1914, etc., intended to be proposed by him to the Agriculture appropriation bill (H. R. 12717), which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to appropriate \$75,000 for experiments in breeding, maintenance, and purchase of horses of Arab breed for military purposes, etc., intended to be proposed by him to the Agriculture appropriation bill (H. R. 12717), which was ordered to lie on the table and be printed.

Mr. NORRIS submitted an amendment providing that on and after July 1, 1916, upon all mail matter of the first class when deposited in any post office or branch post office for delivery within the limits of said post-office delivery district or on any star or rural free-delivery route emanating from said post office the rate of postage shall be 1 cent for each ounce or fraction thereof, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 10484), which was ordered to lie on the table and be printed.

Mr. CHAMBERLAIN submitted an amendment proposing to appropriate \$5,000,000 to establish and operate 10 Army aviation schools in locations to be determined by the Secretary of War to train aviators from the Regular Army and militia and civilian volunteers as reserves, etc., intended to be proposed by him to the Army appropriation bill (H. R. 16460), which was referred to the Committee on Military Affairs and ordered to be printed.

#### EASTERN SHORE TRANSPORTATION CO.

Mr. SMITH of Maryland submitted an amendment intended to be proposed by him to the bill (H. R. 15635) for the relief of the Eastern Shore Transportation Co., of Baltimore, Md., which was referred to the Committee on Claims and ordered to be printed.

Mr. BANKHEAD. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m., Wednesday, June 21, 1916) the Senate adjourned until to-morrow, Thursday, June 22, 1916, at 12 o'clock meridian.



## HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 21, 1916.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our God and our Father, we seek Thy nearer presence in the sacred attitude of prayer and devotion that we may be uplifted and inspired by the warm life-giving currents ever emanating from Thy great heart. We realize that no question is ever settled until it is settled right, and no enactment can be dignified as law without Thine approval. Guide, therefore, this legislative body in all its deliberations that its enactments may be in consonance with Thy plans and purposes. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

## WIDOWS' PENSIONS.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to have 10,000 copies of the bill H. R. 11707, the widows' pension bill, printed.

The SPEAKER. The gentleman from Ohio asks unanimous consent to have printed 10,000 copies of the widows' pension bill. Is there objection?

There was no objection.

## CHARLES H. BINGHAM.

Mr. MANN. Mr. Speaker, a few days ago the House passed a House bill authorizing the removal of the remains of the late Charles H. Bingham from the Congressional Cemetery. Two days before that the Senate had passed a similar bill and sent it to the House. I ask unanimous consent that the Committee on the District of Columbia may be discharged from the further consideration of the Senate bill, and that it may be considered now with a view of asking for the recall of the House bill from the Senate.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the District of Columbia Committee be discharged from the further consideration of the bill S. 5863, and that the same be considered at this time. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

An act (S. 5863) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Charles H. Bingham from Congressional Cemetery, District of Columbia, to Lock Haven, Pa.

Be it enacted, etc., That the health officer of the District of Columbia be, and he is hereby, authorized to issue a permit to Charles Bingham for the removal of the remains of his son, the late Charles H. Bingham, from Congressional Cemetery, District of Columbia, to Lock Haven, Pa., but such permit shall not be issued until there has been filed in the health department of the District of Columbia a permit from the proper governmental authorities at the place where said cemetery is located, authorizing the interment there of said remains.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. MANN. Mr. Speaker, I move that the Senate be requested to return to the House the bill H. R. 15282.

The motion was agreed to.

## QUESTION OF PERSONAL PRIVILEGE.

Mr. GARDNER. Mr. Speaker, I rise to a question of personal privilege. In the Congressional News of June 15, an anti-preparedness publication, I find published a speech of the Hon. OSCAR W. CALLAWAY, of Texas, which had escaped my notice. On finding this out yesterday I wrote Mr. CALLAWAY, notifying him that I should bring the matter up immediately after the reading of the Journal this morning. Mr. CALLAWAY made a speech May 29 in this House which I heard—or, at least, I thought I heard the whole of it—but it seems that in the speech in this Congressional News and in the CONGRESSIONAL RECORD I find a reflection upon me and my character as a Representative, which I am informed by the official reporters of debates was inserted as an extension of his remarks.

Now, I do not care whether it was inserted as an extension of remarks or not; that is a mere trivial detail. The question is whether he has any justification for what he said.

The SPEAKER. What is the matter the gentleman complains of?

Mr. GARDNER. I am about coming to that.

## THE FEAR THAT DISTURBS NEW YORK'S PEACE OF MIND.

The Maxims, Gardners, and Thompsons have attempted to frighten the people into the belief that we were in danger of invasion. That is not the fear that disturbs the peace of mind of the gentlemen on the Naval Affairs Committee who heard the evidence. The fear that disturbs the peace of mind of the gentlemen from Pennsylvania, New York, and Massachusetts is not that our homes will be invaded, our cities bombarded, or our coasts laid waste; it is that the stocks of the Bethlehem, Midvale, Carnegie, Pennsylvania, Maryland, and New Jersey steel,

ordnance, and ship-manufacturing concerns will shrink when the foreign war closes unless a new market is developed. Bethlehem Steel stock increased, due to war, from \$30 a share to \$530 a share. Certain powder stocks increased from \$8 a share to \$1,100 a share.

Now, Mr. Speaker, this sort of a thing has been going on from time to time in the press, and I have noticed implications in extension of remarks before in the House. All I want is to have that investigated by somebody. If it is true, I do not care—although obviously it is out of order to insert matter of that sort in the RECORD—but if the gentleman from Texas had any justification for his remarks, I have no objection to their standing in the RECORD. If he had no justification for his remarks, then, Mr. Speaker, it is time that this House should begin to take action on that sort of thing, because we complain every day because throughout the country accusations which we can not meet are made about us. Now, if we allow Members to accuse each other and take no action on it, you can not blame the general public for what they say.

Mr. Speaker, I expected the gentleman from Wisconsin [Mr. LENROOT] to be here at this time, and if he had been here he would have presented a resolution to refer the speech of the gentleman from Texas to a special committee of five, to be appointed by the Speaker, the committee being instructed not to investigate the parliamentary situation but to investigate the whole thing—investigate me, investigate the speech, and make such recommendations to the House as that committee thought fit.

Mr. GARNER. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. GARNER. I did not happen to be in the Chamber when the gentleman began his remarks. Were these remarks delivered by Mr. CALLAWAY on the floor of the House?

Mr. GARDNER. The reporters of debates tell me not.

Mr. GARNER. If they were delivered on the floor of the House, does the gentleman from Massachusetts think, at this time when Mr. CALLAWAY is away in Texas in his campaign, that he ought to call this up?

Mr. GARDNER. I wrote to Mr. CALLAWAY yesterday, not knowing that he was away, but the gentleman from Texas must realize that the gentleman from Texas [Mr. CALLAWAY] did not select the time when I was present. I think the gentleman will see that I am not making any reflection on the gentleman from Texas. I am saying that it ought to be investigated, and no matter whether he said it on the floor or not, if I was there it was a reflection on me, and if I was not there it was still a reflection on me. Of course, he can make a very good defense by showing he was justified in saying that thing. For that reason, Mr. Speaker, I am going to ask unanimous consent that the Speaker appoint a committee of five to look into this whole question, to take such steps as are necessary to make a thorough examination of the situation and to report to the House what they think ought to be done in the premises.

Mr. GARNER. For what purpose would the committee be appointed?

Mr. GARDNER. To ascertain whether the gentleman from Texas [Mr. CALLAWAY] had any basis in fact for his reflection; and if so, to say that he had, and if not, to say that he had not. Of course, I should expect that the committee would probably recommend, in those circumstances, striking the remarks out of the RECORD, unless the gentleman could show some substantial basis in fact for them.

Mr. GARNER. I do not know; I can not speak for Mr. CALLAWAY's views in the premises, but I do want to make this statement, that Mr. CALLAWAY is in Texas in the midst of a campaign—

Mr. ASWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. Is the case presented by the gentleman from Massachusetts one of personal privilege?

The SPEAKER. The Chair thinks it is. It reflects upon his integrity as a Member of this House.

Mr. GARNER. Mr. Speaker, what I was about to say, when the gentleman from Louisiana [Mr. ASWELL] interrupted, was that we are all more or less familiar with the fact that at times some of us have to make campaigns. As is well known, in Texas the principal campaign that we have is in the primaries. The primary election in Texas occurs on July 22.

I do not anticipate that Mr. CALLAWAY could conveniently—at least within a degree of safety, probably, to his own interest in that campaign—return here before that time, and in the very nature of things it would be probably or possibly unjust to him to launch into an investigation at this time of a statement that he made either upon the floor of the House or which he placed in his remarks in extension and not give him an opportunity to be heard in the premises.

Mr. GARDNER. I quite agree with the gentleman.



Mr. GARNER. I was sure the gentleman would. I have no objection to the appointment of a committee, if that committee can make it convenient to pursue this investigation when Mr. CALLAWAY can be present and can be heard in his own behalf.

Mr. GARDNER. I would think it perfectly safe to leave that with the committee. I think the committee could easily take the deposition of Mr. CALLAWAY.

Mr. GARNER. I wanted to make this statement in order that it might be in the RECORD, so that the committee could see the position of Mr. CALLAWAY.

Mr. GARDNER. Of course it does not help me at all if Mr. CALLAWAY does not have a chance to fully state his case.

Mr. KITCHIN. Could not the gentleman delay this matter until, say, the middle of next week?

Mr. GARDNER. Certainly.

Mr. KITCHIN. And we will see if we can not get Mr. CALLAWAY here.

Mr. GARDNER. I am willing to do that if I do not abandon my right to bring the matter before the House. I ask unanimous consent that I may bring the question before the House as a matter of personal privilege at any time within—

Mr. KITCHIN. Say, within 10 days.

Mr. GARDNER. Any time within 10 days.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that he may finish his statement as to this question of personal privilege at any time that suits his convenience within 10 days.

Mr. GARDNER. I want to reserve the right to offer a privileged resolution, of course.

The SPEAKER. Of course that goes with the other.

Mr. GARDNER. And retain all of the rights that I have now.

Mr. KITCHIN. Absolutely the same rights the gentleman has now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 14725. An act authorizing the Secretary of the Interior to subdivide a part of the town site of Plummer, Idaho, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3764. An act to consolidate certain forest lands in the Florida National Forest;

S. 3344. An act to authorize George H. Hervey, of Pensacola, Fla., to construct and operate an electric railway line on the Fort Barrancas and Fort McRee Military Reservations, Fla., and for other purposes;

S. 3928. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes;

S. 33. An act for the relief of Daniel M. Frost;

S. 31. An act for the relief of John L. Sevy;

S. 4085. An act to establish a Coast Guard station on the coast of Louisiana, in the vicinity of Barataria Bay;

S. 1741. An act for the relief of certain homestead entrymen for lands within the limits of the Glacier National Park;

S. 1066. An act authorizing leave of absence to homestead settlers upon unsurveyed lands;

S. 4026. An act authorizing and directing the Secretary of War to abrogate a contract lease of land and water power on the Muskingum River, Ohio;

S. 4476. An act to amend "An act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands, as amended by an act approved June 18, 1912;

S. 5777. An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the Lihue district and the Koloa district, county of Kauai, Territory of Hawaii;

S. 5910. An act authorizing the sale of the lighthouse reservation at Scituate, Mass.;

S. 3536. An act to provide for the storing and cleansing of imported Mexican peas, commonly called "garbanzo";

S. 3203. An act granting to the city of Lemmon, S. Dak., certain lands for reservoir purposes;

S. 3580. An act releasing the claim of the United States Government to lot No. 306, in the old city of Pensacola, Fla.; and

S. 3581. An act authorizing the Secretary of the Interior to issue a patent to that portion of land, being a fractional block, bounded on the north and east of Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola, in the State of Florida.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate to bill of the following title:

H. R. 8654. An act to amend an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909, by adding a new section to be known as section 7.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 4268) to satisfy certain claims against the Government arising under the Navy Department, had requested a conference with the House on the bill and amendments, and had appointed Mr. BRYAN, Mr. LANE, and Mr. GRONNA as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14484) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, had agreed to the conference asked by the House, and had appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. POINDEXTER as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to bill (H. R. 13486) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, agreed to the conference asked for by the House, and had appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. POINDEXTER as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13383. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 36) to authorize the Secretary of the Interior to issue patents for certain lands to the town of Duchesne, Utah, had requested a conference with the House, and had appointed Mr. MYERS, Mr. THOMAS, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House to bill of the following title, had requested a conference with the House, and had appointed Mr. MYERS, Mr. THOMAS, and Mr. SMOOT as the conferees on the part of the Senate:

S. 35. An act to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah.

The message also announced that the Senate had passed joint resolution (S. J. Res. 114) withholding from allotment the unallotted lands or public domain of the Creek Nation or Tribe of Indians and providing for the sale thereof, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 13233) authorizing the Secretary of Commerce to exchange lands belonging to the United States at the mouth of Crum River, Pa., for other lands adjacent thereto, for the purpose of removing thereto the Schooner Ledge Range Front Light, so that it may be on the range of the channel of the Delaware River, and further authorizing the Secretary of Commerce to remove said range light from its present location to the property acquired by the exchange.

The message also announced that the President had approved and signed bills of the following titles:

On June 16, 1916:

S. 4506. An act to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880;

S. 5274. An act to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii amending the franchise held by the Hawaiian Electric Co. (Ltd.) by extending it to include all of the Island of Oahu, Territory of Hawaii;

S. 5658. An act to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii amending



the franchise held by the Honolulu Gas Co. (Ltd.) by extending it to include all of the island of Oahu, Territory of Hawaii;

S. 5776. An act to amend certain public-utility company franchises in the Territory of Hawaii; and

S. 5708. An act for the establishment of Winston-Salem, in the State of North Carolina, as a port of delivery under the act of June 10, 1880, governing the immediate transportation without appraisal of dutiable merchandise.

On June 19, 1916:

H. R. 13064. An act for the relief of M. A. Sweeney Shipyard & Foundry Co.

#### ARMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917. Pending that motion I ask unanimous consent that there shall be general debate of 1 hour and 20 minutes, one half of that time to be controlled by the gentleman from Kansas [Mr. ANTHONY], and the other half by myself.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill, and pending the motion, asks unanimous consent that general debate upon the bill be limited to 1 hour and 20 minutes, one half to be controlled by himself and the other half to be controlled by the gentleman from Kansas [Mr. ANTHONY]. Is there objection?

Mr. ANTHONY. Mr. Speaker, I will ask the gentleman from Virginia if he can not make that 45 minutes on a side? That would meet with the requests for time that I have.

Mr. HAY. I have no objection to that.

The SPEAKER. Without objection, the general debate upon the bill will be limited to 45 minutes on a side, one-half to be controlled by the gentleman from Virginia, and one-half by the gentleman from Kansas. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Virginia to resolve the House into the Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16460, the Army appropriation bill, with Mr. SAUNDERS in the chair.

Mr. HAY. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. HAY. Mr. Chairman, this bill carries an appropriation of a little over \$157,000,000. The Committee on Military Affairs in reporting the bill believe that they have provided for an ample sum for all of the needs of the Army as they may occur during the next fiscal year provided that no unusual emergency should take place. There is one item in the bill of \$500,000 for civilian camps, and when that item is reached I propose to move to increase that item up to \$2,000,000. The committee at the time it was considering the bill did not have before it any information as to how many persons would attend these camps, and therefore were unable to make an accurate estimate as to how much would be needed. Since that time the War Department has furnished the committee with information which would tend to show that there might be about 30,000 or more who would attend these camps. It costs \$43 per man, according to the estimate of the War Department, to subsist, transport, and to take care of these men at these camps.

I will also offer at the proper time an amendment providing that all persons who now attend the camps or who have attended them before the 1st of July shall have their expenses paid, as I think it is nothing but right that they should all be placed upon the same footing. I shall also ask that whatever money is expended shall be expended on men between the ages of 18 and 45 years, for the reason that men over the age of 45 years can not be called into the service of the United States; therefore I do not think the Government ought to spend any money on training persons whose services they can not get if they should need them.

Mr. COX. Will the gentleman yield for a question?

Mr. HAY. I will.

Mr. COX. Does not the gentleman feel the age of 45 is rather a long age to spend money on training?

Mr. HAY. That is the age fixed by law for the service of men in the Army.

Mr. COX. If we should become involved in war, there is not much likelihood of men of 45 years of age being called out.

Mr. HAY. They could be called out. I do not know whether they would be or not. That depends a good deal on how many were called.

Mr. COX. Now, these men in the training camps, as I understand the matter, do not get any salary at all.

Mr. HAY. No; they get no pay.

Mr. COX. Simply their expenses?

Mr. HAY. They get transportation, subsistence, their uniforms, shelter, and all that.

Mr. COX. And how long are they supposed to stay in the camps?

Mr. HAY. These camps, I think, continue each for a month.

Mr. COX. Thirty days?

Mr. HAY. Yes.

Mr. BAILEY. I thought it was understood the expenses of these people were to be paid by the corporations which are so anxious about the matter. My understanding was the United States Steel Corporation and some others have agreed to pay the expenses of their men.

Mr. HAY. Well, if they want to pay them of course they can do so.

Mr. BAILEY. They certainly will not pay them if we provide their expenses.

Mr. HAY. I do not know anything about that; I have no information on that. The only information I have comes from the War Department, and they inform me that these men will be in these training camps and they will need this much to support them.

Mr. BAILEY. In what manner are these men recruited for these training camps, voluntarily?

Mr. HAY. Voluntarily, oh yes. Now, Mr. Chairman, I will yield to the gentleman from Massachusetts if he desires to ask some questions.

Mr. GARDNER. I should like to ask the gentleman several questions.

Mr. HAY. Very well.

Mr. GARDNER. Gen. Crozier asked for \$1,670,000 for automatic rifles for the Organized Militia and \$1,400,000 for the Regular Army, did he not?

Mr. HAY. He may have; yes.

Mr. GARDNER. Does the gentleman appropriate in this bill any money for automatic rifles for the Organized Militia?

Mr. HAY. We have not.

Mr. GARDNER. Will the gentleman tell the committee why not?

Mr. HAY. I do not know whether I am at liberty to state it. Gen. Crozier made some confidential statements about automatic rifles which led the committee to believe that the \$1,400,000—and, by the way, I will say to the gentleman this is a reserve—we now have automatic rifles enough to arm—

Mr. GARDNER. That is on the basis of five machine guns to each regiment?

Mr. HAY. Yes. The gun which was recommended costs \$3,000, and he intimated to us they were trying out a gun costing only \$1,200, and they had not come to any conclusion as to which one they would buy. Under those circumstances the committee thought that it was not necessary to appropriate such a large sum for these machine guns until we knew just what the department was going to do. As a matter of fact, the Ordnance Department for the last three years has not spent any money on these guns because they were unable to determine what type of guns they were going to buy.

Mr. GARDNER. We heard that about aeroplanes, about battleships, submarines, and engines many times.

Mr. HAY. Does the gentleman want to appropriate for guns that have not been selected?

Mr. GARDNER. Why, surely. Since you ask for the \$1,400,000 for the Regular Army, why should you not do for the National Guard just as well?

Mr. HAY. Because there is no necessity for it.

Mr. GARDNER. Now, let me ask the gentleman another question. That estimate is based on five machine guns to a regiment, is it not?

Mr. HAY. Yes.

Mr. GARDNER. And does not the War Department say that there ought to be 12 to each regiment?

Mr. HAY. It has not told me so.

Mr. GARDNER. I shall endeavor to bring that fact out.

Mr. HAY. The gentleman seems to be in the confidence of the War Department. If he has any information of that sort



authoritatively from the Secretary of War, I would be glad if he would give it.

Mr. GARDNER. In a few minutes I shall read Gen. Crozier's letter to that effect. Let me ask the gentleman this question: He appropriates \$3,000,000 for artillery ammunition as a part of the reserve to be accumulated against the outbreak of war for the Organized Militia; that is for the National Guard. How many rounds of 3-inch shrapnel will that amount to?

Mr. HAY. I can not tell the gentleman exactly, but I will say that the fortifications bill carries an appropriation of \$6,000,000 for field-artillery ammunition. This bill carries \$3,000,000, which makes \$9,000,000 for field-artillery ammunition, all for the reserve.

Mr. GARDNER. Is it not true that the \$6,000,000 in the fortifications bill was for the Regular Army, while you are appropriating for the National Guard?

Mr. HAY. Not at all. They are appropriated under those heads, and all reserves are to be used in time of war by the Regular Army, by the National Guard, or by the Volunteers, if they need them.

Mr. GARDNER. Your appropriation is still under the old Greble Board plan, is it not, that was adopted in 1907?

Mr. HAY. No; the appropriation in this bill has been placed in it with a view to the appropriation made by the fortifications committee, believing that the two appropriations together would provide a reserve sufficient for the purpose of accumulating this field-artillery ammunition.

Mr. GARDNER. Is not this a correct statement of the fact? After the fortifications committee appropriated the full amount asked by Gen. Crozier for field-artillery ammunition, Gen. Crozier came to you and asked you for \$8,000,000 more? He asked you for that amount, did he not?

Mr. HAY. He did, in person, but the estimates that were made to us did not carry any estimate at all for field-artillery ammunition for the National Guard.

Mr. GARDNER. But does not the gentleman know that the reason the estimate did not carry it was because at the time the estimates were made it was Secretary Garrison's plan to have a continental army, and therefore there were no estimates to be made for Field Artillery and field-artillery ammunition for the National Guard.

Mr. HAY. I do not know any reason why there should have been no estimate made for field-artillery ammunition for the National Guard, which is really for the whole country and for all branches of the service.

I know there was no reason why the estimates should not have been made for field-artillery ammunition for the National Guard just because it was thought there would be a continental army.

Mr. GARDNER. If the gentleman will excuse me, I think there was a very good reason for it, and that was because the reserve was supposed to be used by the continental army in time of war, and therefore the reserve ammunition was to be provided for it. Now the gentleman appropriates \$3,000,000—

Mr. HAY. If the gentleman wants to make a speech, he can make it in his own time. I am willing to answer questions—

Mr. GARDNER. If the gentleman does not wish to answer questions—

Mr. HAY. I will answer them, but the gentleman will please ask them, and not make a speech.

Mr. GARDNER. Very well. How much have the gentleman's committee appropriated for field artillery for the National Guard, for the cannon?

Mr. HAY. Three million dollars.

Mr. GARDNER. How much did Gen. Crozier ask for?

Mr. HAY. He asked for a very large sum; but the fortifications committee appropriated \$6,000,000 for that purpose, and the Committee on Military Affairs thought that \$3,000,000 added to that would be sufficient.

Mr. GARDNER. How much did Gen. Crozier ask for, in addition to what had already been granted by Mr. SHEERLEY's committee on fortifications?

Mr. HAY. I do not recall just how much he did ask for, and I do not know that the Committee on Military Affairs or the Congress is bound to appropriate every dollar that any bureau chief asks for.

Mr. GARDNER. Does the gentleman know how many batteries can be procured—3-inch guns—with that \$3,000,000?

Mr. HAY. Yes. Three-inch guns cost about \$85,000 a battery, four guns to a battery. The gentleman can make the calculation.

Mr. GARDNER. How many? Will not the gentleman help us?

Mr. HAY. Divide \$3,000,000 by \$85,000, which is the cost of a battery of four guns. The gentleman can do that.

Mr. GARDNER. It is about 34 batteries, is it not?

Mr. HAY. Thirty-four batteries; yes.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. HAY. I will.

Mr. TOWNER. The total estimate as given in the report is something over \$200,000,000, and the amount carried in the bill is \$157,000,000. Can the gentleman tell us in a general way what amounts were curtailed in order to make that reduction, or what particular items were cut down?

Mr. HAY. One item asked for was \$24,000,000 for field artillery guns, and we gave \$3,000,000.

Mr. TOWNER. Was that the largest reduction that was made?

Mr. HAY. That was the largest reduction; yes.

Mr. TOWNER. What were the estimates for the Army, for the pay of the men, if the gentleman remembers?

Mr. HAY. There were so many estimates made—I think the pay of the enlisted men of the Army was put at about \$24,000,000.

Mr. TOWNER. Was that reduced in any way?

Mr. HAY. It was reduced, I think, about \$1,000,000.

Mr. TOWNER. Can the gentleman give us the number of men in the line that were appropriated for?

Mr. HAY. One hundred and five thousand.

Mr. TOWNER. Is it not expected that that number will be largely increased?

Mr. HAY. I think not. That was what the War Department asked for.

Mr. TOWNER. You gave them all that the War Department asked for on that particular item?

Mr. HAY. On that item, yes; all that we thought would be spent on it.

Mr. TOWNER. Can the gentleman now, or will he in the extension of his remarks or otherwise, give us the particular items that were reduced from the estimates asked for by the department?

Mr. HAY. I could do that. I can not do it on my feet.

Mr. SABATH. Will the gentleman yield?

Mr. HAY. Yes.

Mr. SABATH. Can the gentleman tell us how much more this bill carries than the bill carried four years ago?

Mr. HAY. The bill one year ago carried \$100,000,000. This bill carries \$56,000,000 more than the bill of a year ago.

Mr. SABATH. And how much more than four years ago? Has the gentleman that in mind?

Mr. HAY. I do not recall it, but I suppose about \$63,000,000 or \$64,000,000 more than the bill of four years ago.

Mr. COX. The appropriation four years ago was \$97,000,000, I think.

Mr. GARDNER. Will the gentleman yield?

Mr. HAY. Yes.

Mr. GARDNER. Will the gentleman tell me how many enlisted men of the line could be lawfully appropriated for for the next fiscal year?

Mr. HAY. I do not know that I can tell the gentleman exactly, but these men are to be added in increments of one-fifth annually. Thirty-four regiments of infantry have been added by the act of June 3. One-fifth of that would be about seven regiments of infantry. Does the gentleman mean at full strength or at peace strength?

Mr. GARDNER. I mean the legal peace strength that could be recruited under the new Hay-Chamberlain Act before the emergency arises. The gentleman will understand that I refer to the fact that the new law limits the number of enlisted men of the line to 175,000 men, coupled with the fact that we are obliged by law to increase in five annual jumps of so many men each time.

Mr. HAY. Seven regiments of Infantry at peace strength would be 1,200 men to a regiment, which would make 8,400 men in the Infantry. Ten regiments of Cavalry—one-fifth—would be two regiments; that would be 1,200 under the new bill, I think.

Mr. GARDNER. Would 115,000 be an outside figure?

Mr. HAY. I think it would be more than that.

Mr. GARDNER. One hundred and twenty thousand.

Mr. HAY. I think 120,000 would be about the right number. But I want to call the attention of the gentleman to the fact that it is not expected, nor can it be hoped for, that the additional men can be raised on the 1st of July. Therefore, in appropriating for a fiscal year the committee has always given some leeway, so that we would not be appropriating more money than could be used. It is hardly possible that all these additional commands will be raised before the 1st day of Janu-



ary, if then; and therefore we did not appropriate the full amount.

Mr. GARDNER. You can not lawfully raise more than 120,000 men before July 17, unless war is imminent; is that correct?

Mr. HAY. Yes.

Mr. MANN. Well, Mr. Chairman, I assume that is correct, as both gentlemen say it is; but let me ask the gentleman from Virginia, did we not pass a resolution authorizing these regiments to be filled to the full strength?

Mr. HAY. Yes.

Mr. MANN. Is not that still in effect?

Mr. HAY. Yes. But I call the gentleman's attention to the fact—

Mr. MANN. I am talking about the possibility.

Mr. HAY. I am getting at that. They have only been able to raise 10,000 men under that resolution. Now, we could get about 10,000 more, but as they get these recruits the terms of other men expire, and, as a matter of fact, they are not keeping the regiments up to full war strength, as was contemplated by the resolution, for that reason.

Mr. MANN. I understood the gentleman from Massachusetts to say and the gentleman from Virginia to confirm the statement that we could not increase the Army now to over 120,000 men. I understood by the joint resolution that we practically then authorized an increase of about 120,000 and had made other increases.

Mr. HAY. There is some difference of opinion in regard to that. What we did was to authorize the President to fill up all the different organizations to war strength. I was contending that that would make an army of 119,000 men, but the gentleman from Massachusetts says that it would only make about 106,000.

Mr. GARDNER. One hundred thousand two hundred and ninety-seven of the line and 5,713 of the Philippine Scouts.

Mr. MANN. Now, if we do raise the present commands up to full war strength it would make, as he says, 106,000 men. Is that what the gentleman from Virginia says?

Mr. HAY. I think not. I think 119,000. There is a difference of opinion in the War Department. Additions are being made to other regiments which we provided for, and it will run it up to about 130,000 men.

Mr. MANN. I thought that was the assertion of the gentleman from Virginia.

Mr. JOHNSON of Washington. Mr. Chairman, I have a problem in connection with the National Guard which I would like some information upon. It is in connection with providing transportation for members of the National Guard who are away from their States. I have received a telegram which came to a young man, a member of the National Guard of Washington, who is here in this city. It is as follows:

ALFRED C. PALMER,  
Washington, D. C.:

Report for duty at American Lake Camp, Tacoma, Wash., immediately.  
Capt. H. W. PALMER.

The young man is here and he has not the railroad fare. I called up the Judge Advocate General, and he said, "Let him get on a railroad freight train and go." Well, the distance is 3,200 miles, the weather is a little warm, and he can not do it. Is there any way if the State supplies the money in which it would be reimbursed?

Mr. HAY. I do not know of any.

Mr. JOHNSON of Washington. The State would have to get its young men back at its own expense.

Mr. HAY. I think so.

Mr. GARNER. Will the gentleman yield?

Mr. HAY. Yes.

Mr. GARNER. Since it is a matter of information, may I make an inquiry of the gentleman? Is there any statute authorizing the War Department or the President to organize independent regiments in time of peace?

Mr. HAY. I do not know of any.

Mr. GARNER. In case of war, would Congress have to pass additional legislation in order for the President to organize independent regiments outside of the State militia?

Mr. HAY. Yes.

Mr. GARNER. That was my understanding of it, but I wanted the gentleman's opinion.

Mr. HAY. My understanding is that for the raising of any troops outside of the Regular Army it must be authorized by Congress to confer on the President the power to call for volunteers, and also the power to draft the National Guard.

Mr. GARNER. In calling for volunteers it has been the custom to call on the different States through the governors to secure the volunteers?

Mr. HAY. It has been the custom to do that and to divide the number of men called for among the States according to population.

Mr. HICKS. Is there any provision of law by which any employee of the Government in the National Guard may have his position left open when he returns?

Mr. HAY. I do not know of any and I do not think there is.

Mr. HICKS. Then they are liable to lose their positions if they go to the front?

Mr. HAY. They are. When a man goes into the military service he takes that chance of course.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. HAY. I yield.

Mr. DOWELL. There appears to be a difference of opinion with reference to what was done by the resolution of Congress. Does the gentleman know what the War Department has determined with reference to the resolution and what construction the War Department has placed upon the resolution as to the number of men in the line?

Mr. HAY. As I understand it, the War Department has determined that under that resolution they have a right to fill up the present organizations to full war strength.

Mr. DOWELL. Does that increase the 20,000 beyond the amount authorized prior to the passage of the resolution?

Mr. HAY. In my judgment it increases the Army by nineteen thousand and some hundred men.

Mr. DOWELL. Is that the construction that the War Department places upon it?

Mr. HAY. It was at one time. I do not know what it is now.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes.

Mr. GARDNER. I hold in my hand a letter from The Adjutant General, in response to my request for a statement on that very matter. I will place it in the Record. The summary of it is that the strength of the line as now authorized by Executive order is 100,297, and the strength of the Philippine Scouts is 5,733.

The CHAIRMAN. Does the gentleman yield, and to whom?

Mr. HAY. I yield to the gentleman from Massachusetts. The gentleman says "by Executive order." Of course, the President can make any Executive order within the resolution and within the law that he pleases. That is a very different proposition from filling up the organization to the full strength. The President by Executive order can have the Army down as low as 57,000 men, if he wants to do it, or he can have 100,000, but I contend that when you fill up all of the organizations to war strength the Army will then be 119,000 men, and that was what was intended by the resolution which was passed here and about which we are talking.

Mr. GARDNER. I will read the gentleman the figures to show him that he is mistaken. I am not speaking of the Executive order, but for the sake of argument I am assuming that the interpretation to be put upon that resolution is that every organization should be filled up.

Mr. HAY. Not at all. The resolution only permitted it, and the President can do it or not as he sees fit.

Mr. GARDNER. Is not this the fact: The War Department said there is no use in filling up the mobile troops over in the Philippines and in Hawaii, because they can not get down into Mexico anyway?

Mr. HAY. Why, no; they did not do it because they have full strength in both places.

Mr. GARDNER. In the Coast Artillery, I believe.

Mr. HAY. But the gentleman was talking about the mobile troops.

Mr. GARDNER. I was.

Mr. HAY. They have full strength regiments in both the Philippines and Hawaii of mobile troops.

Mr. GARDNER. May I read the letter.

Mr. HAY. Yes.

Mr. GARDNER. I will first insert my letter, which is as follows:

MAY 25, 1916.

Brig. Gen. H. P. MCCAIN, United States Army,  
The Adjutant General, War Department, Washington, D. C.

MY DEAR GENERAL: Will you be good enough to tell me what the authorized strength of the enlisted line of the Army is under the law as it stands at present. The figure which I am anxious to ascertain correctly is the authorized strength as it stood after the passage of the recent joint resolution permitting the recruitment of the organizations of the Army up to the maximum strength.

I think I understood you to say the other day that the total strength of the enlisted line as now authorized, if fully recruited, would consist of 103,294 United States Army soldiers and 5,733 Philippine Scouts.



To what extent are those figures modified by the executive order under which the Secretary of War has ordered the recruiting to be carried on?

Very truly, yours,

A. P. GARDNER.

In response to that letter came the following reply:

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,  
Washington, May 29, 1916.

Hon. A. P. GARDNER,  
House of Representatives.

MY DEAR SIR: In response to your request of the 25th instant that you be furnished with a statement showing the strength of the line of the Army as authorized by the joint resolution of March 17, 1916, and the strength as now authorized by executive order, I beg leave to advise you as follows:

The strength of the line of the Army—Engineers, Field Artillery, Coast Artillery, Cavalry, and Infantry—as authorized by the resolution referred to is 103,294, and the strength of the Philippine Scouts is 12,000.

I do not suppose that the joint resolution meant us to recruit Philippine Scouts, but even if we did—

Mr. HAY. The gentleman is not reading the letter, he is making a speech.

Mr. GARDNER. The gentleman is perfectly right. I continue from the letter:

The strength of the Signal Corps, Ordnance Department, service-school detachment, unassigned recruits, recruiting parties, etc., is not included in the foregoing figures, although those organizations form a part of the Army.

But not the enlisted line.

Mr. HAY. How large are they? How large are those the gentleman just read?

Mr. GARDNER. I do not know; but at present probably a good deal less than 20,000. The question which interests us is the enlisted line of the Army, the fighting men, not the teamsters and the baggage-masters nor the hospital stewards. The letter then concludes as follows:

The strength of the line as now authorized by Executive order is 100,297, and the strength of the Philippine Scouts is 5,733.

The difference between the strength as authorized by the resolution and as authorized by Executive order is that the strength of the organizations serving outside the continental limits of the United States were not increased by Executive order.

Very truly, yours,

H. P. McCAIN,  
The Adjutant General.

I think that is what I said.

Mr. HAY. Yes; because they are already filled.

Mr. GARDNER. Does the gentleman mean to say that the Philippine Scouts are now increased to the maximum strength?

Mr. HAY. No; I said the organizations serving in the Philippines and in the Hawaiian Islands.

Mr. GARDNER. Is not the Philippine Scouts force the principal part of the mobile army in the Philippines?

Mr. HAY. It is not. There are about 13,000 men in the Philippines.

Mr. GARDNER. How many of those in the coast defenses?

Mr. HAY. I could not say how many.

Mr. GARDNER. I think the gentleman will find that the Philippine Scouts constitute perhaps not a majority, but a very considerable part of the mobile force of the Philippine Islands.

Mr. HAY. I think the gentleman is mistaken about that. However, is the gentleman through now? If he is, I will go on with what I had to say. Mr. Chairman, when the Army reorganization bill was before the House a great deal of criticism was had because it was stated that the Congress was not following the expert opinion of the Army officers, but that we were making a reorganization bill without regard to the advice and experience of these experts. I hold in my hand the Army and Navy Register, a service paper, and in that paper there is a memorandum furnished by the General Staff to the Secretary of War analyzing the Army reorganization bill. Among other things, the following is said:

In general terms it may be said that this is the first comprehensive legislation for national defense. It provides as far as can be seen for the needs and men and material, and it has been pronounced by all who are competent to judge as the best military legislation that the country has ever had.

That is the opinion of the General Staff. Here is an opinion of Maj. Connor, of the General Staff, in a memorandum made for the Secretary of War. He says:

The consensus of opinion in regard to this bill undoubtedly is that it is far and away the best bill that has ever been written for our Army on the subject of military organization. There undoubtedly are certain things which might be left out and other things which might be added, but nevertheless the statement can not be controverted that it is the first and only comprehensive measure looking to military preparedness that has ever been passed by Congress.

That is the opinion of the expert in the War Department about this bill.

Mr. GARDNER. Did the gentleman say Maj. Connor?

Mr. HAY. Yes.

Mr. GARDNER. There are people who are more expert, he will admit?

Mr. HAY. Oh, of course, the gentleman undoubtedly is more expert.

Mr. GARDNER. I was not personal to the gentleman from Virginia. I have refrained from personality.

Mr. HAY. I am not personal at all.

Mr. GARDNER. The gentleman was personal.

Mr. HAY. I was just giving the gentleman his merited meed of praise.

Mr. GARDNER. The gentleman was personal.

Mr. HAY. The first opinion I read here was the opinion of the General Staff generally, not that of any individual.

Mr. GARDNER. By what authority does the gentleman say that; on the authority of the Army and Navy Register?

Mr. HAY. No, sir; I ask leave to print these two articles as part of my remarks.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend as a part of his remarks certain articles indicated. Is there objection? [After a pause.] The Chair hears none.

The articles are as follows:

#### ANALYSIS OF THE ARMY REORGANIZATION BILL.

The Secretary of War on May 26 forwarded to the chairman of the Senate Committee on Military Affairs memorandums of analysis of the Army reorganization bill and comparison with provisions of the bill drafted by the General Staff for reorganizing the Army.

Mr. Baker said:

"I have had the provisions of House bill No. 12766 carefully analyzed and compared with the provisions of the bill drafted by the General Staff for reorganizing the Army. The comparison and analysis were made by a member of the General Staff, and the memorandums embodying the results of that comparison and analysis are inclosed for your information."

"I fully indorse the statement made in one of the memorandums that the bill recently agreed to is the most comprehensive measure looking to military preparedness that has ever been passed by Congress. Assuring you that the bill is very satisfactory to me and that the untiring efforts of the Senate and House to afford the people of this country adequate military protection are deeply appreciated."

#### ANALYSIS OF THE NEW ARMY BILL.

The new Army bill provides for four classes of soldiers in the United States: First, the Regular Army; second, the National Guard; third, the enlisted Reserve Corps, all of which shall exist in time of peace; and, fourth, the Volunteer Army, which will be raised only in time of war. The peace strength of the Regular Army is approximately 11,000 officers, not to exceed 175,000 combatant troops, and approximately 40,000 noncombatant troops, including the unassigned recruits. The National Guard will consist of about 17,000 officers and 440,000 men. The number of men who will join the enlisted Reserve Corps can not be foretold. They are practically enlisted specialists for the technical departments of the Army, recruited in time of peace for use in time of war only, and are subject in time of peace to short periods of training yearly. Volunteers can be called in time of war when and in such numbers as Congress shall authorize.

The Regular Army will be made up of the organizations shown in the following table, wherein is also shown the existing organizations and the existing numbers authorized by law:

#### Old laws.

Organizations.	Officers.	Enlisted men. <sup>1</sup>
31 regiments Infantry.....	1,531	25,035
15 regiments Cavalry.....	750	56,315
6 regiments Field Artillery.....	246	12,240
3 battalions Engineers.....	57	18,540
Coast Artillery Corps (170 companies).....	701	5,010
Total combatants.....	3,285	7,116
Signal Corps.....	106	1,234
Medical Department.....	504	2,002
Quartermaster Corps.....	187	19,321
Other troops and staff departments.....	765	62,840
Philippine Scouts.....	182	103,294
Total.....	5,029	181,472

#### New laws.

Organizations.	Officers.	Enlisted men. <sup>1</sup>
65 regiments Infantry.....	3,314	85,865
25 regiments Cavalry.....	1,300	126,230
21 regiments Field Artillery.....	876	24,350
7 regiments Engineers.....	231	36,250
		17,752
		26,361
		4,697
		7,077

<sup>1</sup> Upper figures equal minimum strength; lower figures equal maximum strength.



## New laws—Continued.

Organization.	Officers.	Enlisted Men.
2 battalions Mounted Engineers.....	32	458
Band Engineers.....		692
Coast Artillery Corps (263 companies).....	1,201	30,000
Total combatants.....	6,954	163,161
Signal Corps.....	275	13,387
Medical Department.....	1,750	4,338
Quartermaster Corps.....	2,365	10,500
Other troops and staff departments.....	1,797	14,100
Philippine Scouts.....	182	10,403
		19,154
		24,356
		5,733
		12,000
Total.....	11,327	208,338
	11,942	287,346

<sup>1</sup> These figures are approximate, to be fixed by the President in accordance with the needs of the Army; the enlisted men of the medical department to be 5 per cent of the authorized strength of the Army. The above figures of "Enlisted men" do not include the "wagoners," number not yet determined.

<sup>2</sup> Includes 73 pay clerks with the rank of second lieutenant.

The Army will be increased 344 regiments of Infantry, 10 regiments of Cavalry, 15 regiments of Field Artillery, 93 companies of Coast Artillery, 5 regiments of Engineers, 2 battalions of Mounted Engineers, the necessary number of auxiliary troops in the Medical Department, Quartermaster Corps, Signal Corps, and the unassigned recruits, and in addition thereto the number of Philippine Scouts that may be determined upon by the President, not to exceed a maximum of 12,000.

The organizations provided for will be divided into two classes—over-sea garrisons and the Army in the United States. Just what the composition of each of the garrisons in the Philippine Islands, Hawaiian Islands, and Panama will be can not be foretold at the present time, but the aggregate will probably be about three Infantry divisions. There will probably be a regiment of Infantry in Alaska and one in Porto Rico. This will leave for the United States 4 Infantry divisions and 2 Cavalry divisions. Each Infantry division will consist of 3 Infantry brigades (9 regiments), 1 regiment of Cavalry, 1 brigade of Field Artillery (3 regiments), 1 regiment of Engineers, 1 field signal battalion, 1 aero squadron, and the ammunition, supply, engineer, and sanitary trains. Each Cavalry division will consist of 3 Cavalry brigades (9 regiments), 1 regiment of Horse Artillery, 1 battalion of Mounted Engineers, 1 field signal battalion, 1 aero squadron, and ammunition, supply, engineer, and sanitary trains. After deducting the necessary troops for the over-sea garrisons, the troops remaining in the United States are just sufficient to organize the divisions mentioned, and this gives what is termed a well-balanced military organization, because there is just enough of each arm to make a good fighting machine, and there are no extra organizations left over. This is the first time in our history that the Army has been organized on such a basis, although nearly all other armies of the world are so organized.

The number of general officers of the Army has been increased from 7 major generals and 17 brigadier generals to 11 major generals and 36 brigadier generals. This will provide the necessary general officers to command the divisions and brigades and furnish the general officers for the General Staff.

The General Staff Corps has been increased from 38 officers to 57 officers, and the duties of the General Staff remain the same as they were before the writing of the new bill. This important corps has been nearly doubled, and with its increased numbers the General Staff will be better able than heretofore to perform its important functions.

The Adjutant General's Department, the Inspector General's Department, the Judge Advocate General's Department, the Quartermaster Corps, and the Medical Department have all been materially increased to meet the increased size of the Regular Army. There is nothing materially new in regard to these departments or corps.

The number of officers in the Corps of Engineers will also be increased, and the Engineer troops for Infantry divisions will hereafter be organized into regiments instead of battalions, as heretofore, while the mounted Engineer troops for use with the Cavalry divisions will be battalion organizations.

The Ordnance Department and the Signal Corps both required very material increases, inasmuch as the work of the Ordnance Department in the design and construction of new armament will be far more than proportional to the increase in the Army, and the greatly increased importance of aviation work required a correspondingly larger increase in that section of the Signal Corps.

The Medical Department was increased by the addition thereto of a new Corps of Veterinarians, which corps, together with the Dental Corps, have been given increased rank, with the accompanying pay and allowances. These two corps should hereafter increase greatly in their efficiency.

The organization of Infantry and Cavalry regiments will be changed by the introduction of three new companies—i. e., the headquarters, supply, and machine-gun companies. These companies have existed as provisional organizations for some time, but the personnel thereof had to be taken from the other companies of the regiment, thereby depleting the ordinary companies and at the same time not making the provisional companies as efficient as they should be. The new law prescribes an independent personnel for these three new companies and at the same time increases the Infantry companies from 65 men to 100 men and leaves the troop of Cavalry approximately as it is now. Each regiment of Field Artillery has been increased by a headquarters and a supply company for the same reasons that these organizations were added to the Infantry and Cavalry regiments.

The organization of the regimental units of these three arms was worked out with great care and represents the very latest improvements known to military experts. The following table shows the organization of the various regiments at peace and war strength under the old law and the new law:

Organizations.	Old law.		New law.	
	Officers.	Enlisted men.	Officers.	Enlisted men.
Infantry regiment:				
Peace.....	50	816	51	1,321
War.....	50	1,836	51	1,942
Cavalry regiment:				
Peace.....	50	816	52	974
War.....	50	1,236	52	1,450
Field Artillery regiment:				
Peace.....	41	835	141	1842
War.....	41	1,186	141	1,856
Engineer regiment:				
Peace.....	19	402	33	671
War.....	19	658	33	1,011
Engineer battalion, mounted:				
Peace.....			16	229
War.....			16	346

<sup>1</sup> Two-battalion regiment.

<sup>2</sup> Three-battalion regiment.

<sup>3</sup> Battalion of four companies under existing law.

The Coast Artillery has been increased from 701 officers and 19,321 men to 1,201 officers and 30,009 enlisted men, giving that corps the full complement that it requires in regular officers and men for the harbor defense of the country. The remaining number of officers and men will be supplied from the National Guard.

The Porto Rico Regiment has been increased from two battalions to three battalions, and will be organized as other regiments of Infantry of the Army.

Hereafter all officers appointed as second lieutenants in the Army will be given provisional appointments for a period of two years, during which period of probation they must either demonstrate their ability and fitness or make room for a new candidate. All new officers will be drawn from graduates of the United States Military Academy, from enlisted men of the Regular Army, from members of the Officers' Reserve Corps, or the National Guard, or from honor graduates of military schools, or, lastly, from civil life.

The increase in the Regular Army will be made in five annual increments, beginning July 1, 1916, and running to July 1, 1920, although the President is authorized to make the increase more rapidly in case of emergency.

The condition of retired officers is improved, in that the time which such a retired officer may serve on active duty brings to him increased pay and rank corresponding to his period of active service, and in time of war retired officers may be used as the President shall prescribe.

In order to provide for the regular officers necessary for duty with the National Guard, duty at the various colleges where military instruction is given, for recruit duty, military attachés, etc., provision is made for a detached officers' list which provides 1,022 officers in addition to those necessary with organizations. This supplies the officers necessary for these various duties prescribed by law without taking them away from their organizations.

Up to the present time promotion has been more or less unequal at different times in the different branches of the service, and to a certain extent this detached officers' list will be utilized to equalize promotion in the different branches, and for the same purpose authorization is given to transfer officers from one branch of the line to another to fill the vacancies created by the new act.

Officers of the Philippine Scouts are not officers of the Regular Army, and heretofore no provision has been made for their retirement, but the new bill provides that hereafter they shall have the right to retirement and retired pay.

The present enlistment contract provides for a seven-year enlistment, four of which shall be with the colors and three with the reserve. Under the new law these periods are reversed—that is, three years with the colors and four in the reserve—but an important addition is made, namely, that at the end of one year's service any enlisted man within the continental limits of the United States may be discharged if he has become proficient in that time. This is an important proviso, and will, it is believed, increase the number of enlistments. In addition to that, provision is made for paying the enlisted men in the reserve \$24 a year, and the President is authorized to utilize the personnel of any department of the Government, such as postmasters, mail carriers, etc., to keep track of reservists and also to use the postmasters (except first class) to obtain recruits for the Army.

No material change is made in the Regular Army Reserve nor in the inducements offered to ex-soldiers to return to the colors in time of war.

Enlisted men are prohibited from engaging in any civil occupations, whether for pay or otherwise, that would put them in competition with men in civil life.

An officers' reserve corps is provided, which will authorize the commissioning of civilians up to and including the grade of major in the various branches of the Army. These men can be selected and trained in time of peace, and the officers so obtained will be far better prepared than any volunteers that could be raised hurriedly at the outbreak of war. In order to obtain these reserve officers a reserve officers' training corps is authorized, which will consist of units at the various colleges, academies, and universities throughout the country, where military education and training will be given, which, in connection with six weeks' field training each summer, will give a personnel for the officers' reserve corps that is far better equipped for the duties of an officer than any heretofore available.

In order to provide the enlisted men for the various technical staff corps and departments an enlisted reserve corps has been authorized, which will consist of men whose daily occupation in civil life specially fits them for duty in the Engineer, Signal, and Quartermaster Corps and in the Ordnance and Medical Departments. This enlisted reserve corps will provide the railway operatives, bridge builders, chauffeurs, hospital attendants, nurses, telegraphers, etc., required for the departments and corps mentioned. It is impracticable to keep in the Regular



Army the number of men of these classes that will be necessary in time of war, and the enlisted reserve corps will provide for the deficiency.

No provision is made for a volunteer force in time of peace, but in place thereof the ideas embodied in the business men's camps of 1915 have been provided for, and the new law provides that all expenses in connection with attendance at such camps shall be borne by the Federal Government. Heretofore individuals attending the camps paid for their own transportation, uniform, food, clothing, etc., the total expense of which probably averaged about \$65 per member. This limited the personnel attending said camps to the more or less affluent; but under the new law any citizen who desires to take such training can obtain it without personal pecuniary sacrifice.

The National Guard is, within the limits of the Constitution, federalized. The maximum number authorized is 800 for each Representative and Senator in Congress and such number from the Territories as the President shall prescribe. This will probably give a total of about 17,000 officers and 440,000 enlisted men. The organization of the National Guard will conform to that of the Regular Army, as will also its equipment and armament.

The President is authorized to organize the National Guard into brigades, divisions, and other tactical units and to prescribe the kind of organizations that shall be maintained in the various States to insure that these brigades and divisions will be complete in all respects. Certain qualifications are required of officers of the National Guard, and although these officers will still be commissioned by the governors they will not be recognized by the Federal Government unless they fulfill the prescribed qualifications. Regular Army officers may be commissioned in the National Guard if the governors so desire. Enlistments in the National Guard will be for six years, three years with the colors and three years with the reserves, but a man may serve out his enlistment, if he so desires, instead of going into the reserve. Hereafter the enlistment contract for the National Guard will contain an oath of allegiance both to the State and to the United States, and not only enlisted men, but officers, must subscribe to such an oath. The President is not only authorized to call out the National Guard for the constitutional purposes, but is also authorized to draft them into the service of the United States, whether they desire to come or not, and also to draft the additional men that may be needed to keep such National Guard units at war strength in case the National Guard reserve authorized by this act is not sufficient for that purpose. Ample provision is made for the protection of Federal property in the hands of the National Guard, and in case property is lost or destroyed through neglect or in any other way that could have been avoided, the States must replace the property so lost.

Under the new law horses can be supplied to the mounted organizations of the National Guard, and provision is made for their care and maintenance.

The National Guard will be required to have 48 periods of armory training each year and 15 days' field training, and in case the prescribed amount of training is not undergone the President may withhold the funds appropriated for the National Guard as he sees fit. In addition to that the Secretary of War may require such additional study on the part of the officers as he may deem necessary. During periods of field training the National Guard will be paid at the same rate as the Regular Army, and for the armory training a generous rate of pay is authorized. National Guard officers and men may be sent to various service schools, and will be paid during such periods. The National Guard will be subject to the laws and regulations governing the Army of the United States from the time that they are required to come into that service, and after that time there is no evading the Federal law. A uniform system of courts-martial for the National Guard is authorized, the limitations of which are fixed by law. This will tend to uniform procedure and practice in all the different States. When the National Guard is drafted into the service of the United States they will be entitled to all the rights of the existing pension laws.

In order to encourage target practice the Secretary of War is authorized to establish ranges and to supply rifles, ammunition, and instructors for rifle clubs in various parts of the country.

Under existing law the Federal Government in time of war would have to enter the markets of the country to obtain ammunition, arms, and other supplies, just as any ordinary individual would, but the new law authorizes the President in time of war to exercise a sort of eminent domain over the various manufacturing plants in the country and gives Government orders right of way over all private orders. It also establishes in time of peace a board of mobilization of industries which are essential for military preparedness. This board is authorized to investigate all privately owned plants in the country suitable for the manufacture of arms and ammunition, or the component parts thereof, and the Ordnance Department is authorized to prepare in time of peace the necessary gauges, jigs, dies, and other tools of special kinds that are required in the manufacture of arms, ammunition, etc.

The United States to-day is practically dependent upon Chile as a source of supply for nitrates, which are essential to the manufacture of ammunition. The new law provides that the President is authorized to investigate the best means for the production of nitrates and to proceed to the establishment of the necessary plants to manufacture nitrates for the Government's use, and the bill appropriates \$20,000,000 for the establishment of such a plant.

Under the present conditions anybody can wear the uniform of the United States Army, Navy, or Marine Corps, and subject it to any indignity whatsoever. The new law provides that only certain authorized individuals and organizations shall have the right to wear this uniform or any uniform so nearly like it as to be readily mistaken therefor, and it provides certain penalties for violations of the law.

In general terms it may be said that this is the first comprehensive legislation for national defense. It provides, as far as can be foreseen, for the needs in men and material, and it has been pronounced by all who are competent to judge as the best military legislation that the country has ever had. Certain parts of it are more or less experimental, but without experiment no advance will be made, and if any part of the experiment does not work that part can be corrected by new legislation.

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF STAFF,  
Washington, May 22, 1916.

Memorandum for the Secretary of War.

Subject: Comparison of H. R. 12766 with the recommendations of the General Staff Corps.

The bill under consideration may be divided into four parts: First, the Regular Army; second, the measure for producing reserves of officers

and men; third, the National Guard; and, fourth, certain measures looking for preparedness in material. The General Staff in its recommendations covered only the first two in detail and made general recommendations as regards the last two. As far as concerns the provisions for the Regular Army and the reserve features, the bill follows very closely the recommendations of the General Staff.

Sections 1 and 2, prescribing the composition of the Army and the Regular Army, are identical with the recommendations of the General Staff, except that there is a limitation placed on the strength of the Army in the proviso on page 1, lines 31 to 37 of the act, and that the percentage of unassigned recruits in the new bill is increased to 7 per cent. Under the old law the unassigned recruits were included in the strength authorized for the line, whereas under the new bill they are in addition to the strength of the line and are not included in the statutory limitation of 175,000.

Section 3, down to and including the word "necessary" on page 2, line 20, of the act, gives the organization of brigades and divisions exactly as recommended by the General Staff. From there to the end of section 3 the matter condenses the recommendations of the General Staff as regards the organization of the different headquarters and staffs thereof, giving the President full authority to prescribe in regulations what such headquarters shall be.

Section 4 prescribes the number of general officers of the line of the Army. The number of major generals is that recommended by the General Staff, except that the bill does not contain provisions for a Chief of Infantry, Chief of Cavalry, or Chief of Field Artillery. The number of brigadier generals is five less than that recommended by the General Staff. The recommendation that the Chief of Staff should be a lieutenant general was omitted from the bill.

Section 5 prescribes the General Staff Corps and authorizes a total of 57 officers instead of 121 recommended by the General Staff, but these 57 must be increased by the personnel authorized for the Inspector General's Department, consisting of 29 officers, which the General Staff had incorporated in the General Staff, but which the bill maintains as a separate department. All the recommendations of the General Staff in regard to that corps, except as above, are in the bill, and, in addition thereto, there is much other matter which was not touched upon by the General Staff.

At first sight it looks as though the provisions of section 5 greatly curtail the usefulness of the General Staff Corps, but a closer study of that section shows that what appear to be limitations are rather an emphasis of the provisions of the original bill creating the General Staff Corps. The limitation that only one-half of the officers of the General Staff shall be in Washington in a measure limits the free use of the corps and may slightly interfere with its maximum efficiency. Other than that, the provisions of the section, in the minds of many General Staff officers, will tend to increase the usefulness and efficiency of the General Staff rather than decrease it.

Section 6 prescribes the organization of The Adjutant General's Department and is identical with the recommendations of the General Staff, except that only 30 adjutants general with the rank of major are provided instead of 39 recommended by the General Staff.

Section 7: The General Staff recommended the incorporation of the Inspector General's Department in the General Staff, and therefore made no recommendations regarding that matter.

Section 8: The recommendations of the General Staff are followed exactly, except that four judge advocates with the rank of colonel are prescribed instead of the three recommended. In addition thereto the bill contains a provision for the appointment of a civilian as judge advocate, prescribes that no judge advocate shall be assigned to the study of law, and provides for certain examinations for promotion in the Judge Advocate General's Department—three provisions not included in the General Staff recommendations.

Section 9 deals with the Quartermaster Corps, and provides for 296 officers instead of 256 as recommended by the General Staff, an increase of 37 officers over that recommended. It provides that hereafter the present pay clerks shall have the rank, pay, and allowances of second lieutenants, a point not covered in the General Staff recommendations. The percentages in the noncommissioned grades of the Quartermaster Corps are somewhat different from those recommended by the General Staff.

Section 10 deals with the Medical Department and is entirely different from the recommendations of the General Staff as regards the Medical Corps. The provisions for the enlisted force of the Medical Department are practically identical with those recommended by the General Staff. The provisions for the Dental Corps differ from the recommendations of the General Staff by increasing the length of service required in the different grades and by giving the dental surgeons the rank as well as the pay and allowances of the grades concerned.

Section 11 provides for the Corps of Engineers. The total number of officers provided is the same, but the numbers in the higher grades were reduced and the numbers in the lower grades increased. The organization of the engineer troops is identical with the recommendation of the General Staff.

Section 12 provides for the Ordnance Department and increases the number recommended for that department by the General Staff from 109 to 142. The original recommendation to the General Staff was received before the present war in Europe, and the larger number, 142, follows the later recommendation of the Ordnance Department, whereas the 109 follows the earlier recommendations. The bill follows the recommendation of the Chief of Staff and provides that the existing law in regard to details in the Ordnance Department shall remain as they are, whereas the General Staff recommended that this department be placed on the same basis as other departments as regards detailed officers. In addition to the officers mentioned, the bill authorizes the detail of 30 lieutenants for duty as student officers in the Ordnance Department. This was recommended by the former Secretary of War.

Section 13 provides for the Signal Corps and provides for 275 officers, whereas the General Staff recommended 381 officers, but the new bill authorizes the employment of civilian aviators which the General Staff recommendations did not include. The restrictions upon the detail of officers for aviation duty have been removed in the new bill—a measure that was contemplated by the General Staff. The extra pay recommended for rated men in the Signal Corps is not included in the new bill. The other provisions as regards the enlisted force of the Signal Corps are the same as those of the General Staff.

Section 14 provides that the Bureau of Insular Affairs shall remain as it is at present. The General Staff recommended certain changes in the detail system of that department which will be commented on in a later section.

Section 15 provides for the chaplains and leaves them subject to existing laws, whereas the General Staff had recommended that the law



regarding chaplains should be practically the same as that for the Dental Corps.

Section 16 provides for the veterinarians and is the same as that recommended by the General Staff, except that service as second lieutenant is decreased by two years, as is also the service requisite for promotion to the grade of major. The limitation on the number of majors to 15 in number was omitted. The rest of this section prescribes details as to methods of appointment, transfer, and promotion in the Veterinary Corps—details which were not covered in the General Staff recommendations.

At this point in the General Staff bill there was a provision for changing the present detail system to the various staff departments. The main features were that all line officers would be required to serve two years out of every six with troops; that promotions to the grade of chiefs of the corps and departments should be made only from the grade of colonel; and that no chief of any corps, department, or bureau having served four years as such should be eligible for reappointment as chief until he had served two years as a subordinate or with troops. These provisions were practically incorporated in the Senate bill, except as regards the Ordnance Department, but the conference committee left the detail system as it stands under the present laws, except that provision was made that an officer on detail who was promoted to the next higher grade shall not for that reason alone be relieved from his detail. This was a compromise between the recommendations of those who desired the present Ordnance Department system to apply to all the corps and departments and those of the General Staff recommending that the special rules in regard to the Ordnance Department be abolished and that all corps and departments be placed on the same basis. The provisions of the new bill are exactly those recommended by the Chief of Staff to both committees, except that the Judge Advocate General's department was not put under the detail system.

Sections 17, 18, 19, and 20 deal with the composition of Infantry regiments, Cavalry regiments, Field Artillery regiments, and the Coast Artillery Corps, respectively, and, excepting the provisions made for a peace strength for Infantry, Cavalry, and Field Artillery regiments, these sections follow exactly the recommendations of the General Staff. When it was decided that the strength of the Army should be limited to 175,000 combatant troops, the question arose immediately as to whether it would be best to decrease the number of organizations in the Regular Army or to provide for a peace establishment at about two-thirds the full strength. An examination of foreign armies showed that practically no country maintains its troops at war strength in time of peace, and it was decided that the importance of having a full commissioned personnel and the provisions of the bill regarding the Regular Army Reserve made it more desirable to maintain the number of organizations recommended by the General Staff, cutting down the strength in time of peace rather than to cut down the number of organizations and keep them at full strength. This was the unanimous recommendation at an informal meeting of several General Staff officers representing all arms.

Section 21 provides for the Porto Rico Regiment, and, except that the bill provides for the promotion of officers within that regiment, whereas the General Staff provided for their incorporation with the other Infantry of the Army, the organization of this regiment will be exactly as recommended by the General Staff.

Section 22 deals with minor subjects in which no changes were desired, and is identical with that of the General Staff.

Section 23 is identical with that of the General Staff, except that it provides that graduates of the United States Military Academy shall not be subject to the two years' probational appointment, and limits the provisional appointments to officers coming into the service as second lieutenants.

Section 24 provides that the increase in the Army shall be made in five increments, except as to the detached officers, whereas the General Staff recommended that the entire increase should be in five increments. The bill provides that, in time of emergency, the President can organize all of the increase at once—a provision which the General Staff omitted from their recommendations. The provisions in regard to the filling of vacancies is practically the same as that of the General Staff, with the following exceptions: (1) Officers of the National Guard and honor graduates of distinguished military colleges are made eligible for appointment as second lieutenant; (2) the President is authorized to re-commission persons who formerly held commissions and left the service honorably; (3) examination for promotion to the grade of lieutenant colonel and colonel are required.

The new bill provides that retired officers detailed to active duty shall be given promotion on the retired list commensurate with the period that they serve on active duty.

Section 25 provides for a detached officers' list and provides for the exact number of detached officers recommended by the General Staff minus the number that were intended for the continental army. The numbers in the higher grades are increased beyond the recommendations of the General Staff, with a corresponding reduction in the numbers in the lower grades. The section follows in general the original recommendations of the General Staff, but does not follow their later recommendation that this list should be used for purposes of equalization. The testimony on the subject was so conflicting that there was no unanimity of opinion one way or the other. The new bill provides for certain equalization, but to what extent this will be possible depends upon the interpretation that is given to the section. Immediate relief will be obtained through the appointment of 17 colonels of Cavalry and 4 colonels of Infantry, who are additional to the numbers otherwise authorized. Inequalities in promotion will also be decreased by the provision which allows transfers to be made from one arm to another below the grade of lieutenant colonel for purposes of equalization.

Section 26 provides for the retirement of officers of Philippine Scouts and, although not identical with the provisions of the General Staff, it accomplishes the same purpose in a slightly different way.

Section 27 provides for enlistments in the Regular Army. The General Staff recommended a term of enlistment of 8 years, of which 2 should be with the colors and 6 in the reserve. The new bill provides for a term of 7 years' enlistment, 3 of which shall be with the colors and 4 in the reserve. The General Staff bill gave the option of reenlistment to the Secretary of War, whereas the new bill keeps it as at present with the enlisted man. The other provisions are practically the same as those recommended by the General Staff, except as to certain detail, all of which are good provisions and in no way conflict with the good of the service.

Section 28 provides for the pay of certain enlisted men in the new grades created by the bill and is identical with the recommendations of the General Staff.

Section 29 provides for the discharge of enlisted men and is the same as that recommended by the General Staff, except that the two

provisos are new and are excellent provisions not covered in the General Staff recommendations.

Sections 30, 31, and 32 deal with the Regular Army Reserve and are practically identical with the recommendations of the General Staff, except that the period of training authorized for that reserve is limited to 15 days annually and that semiannual pay at the rate of \$24 a year is provided for members of the reserve; they also provide that upon reporting for duty a reservist shall receive a sum equal to \$3 per month for each month he may have served in the reserve.

Section 33 provides for using other departments of the Government for mobilization purposes, and is identical with that recommended by the General Staff.

Section 34 continues the existing law as regards a bonus upon reenlistment for ex-soldiers of the Army. The General Staff recommended that no bonuses be paid, but the new bill provides for a continuation of the old law.

Section 35 prohibits enlisted men in active service from entering in business or performing any services that would compete with civilians engaged in such pursuits. It is an extension of the existing law.

Section 36 provides for 1,100 sergeants for National Guard and other purposes and is identical with the General Staff recommendation.

Sections 37 to 39, inclusive, provide for an officers' reserve corps, and are practically identical with the recommendations of the General Staff.

Sections 40 to 53, inclusive, provide for the reserve officers' training corps, and are identical with the recommendations of the General Staff.

Section 54 provides for training camps, which shall be an extension of the ideas that brought about the business men's camps of 1915. The section contains all the recommendations of the Chief of Staff, but goes considerably further than he recommended in providing that all expenses in connection with the camp will be paid by the Federal Government. It is exactly what the advocates of these camps desired in case the volunteer army in time of peace was not authorized.

Section 55 provides for an enlisted reserve corps to provide a technical personnel for the armies of the United States. It embodies exactly the idea recommended by the General Staff, except that they provided it as a part of the Regular Army Reserve, whereas in the bill it is provided as a separate organization to be used in the same way as the Regular Army Reserve.

Section 56 provides for the issue of military equipment and for instructors at schools and colleges not included in the reserve officers' training corps provisions. It was not recommended by the General Staff, but interferes in no way with their recommendations.

Sections 57 to 119, inclusive, deal with the militia and the National Guard. The General Staff recommended that the National Guard be left as under the old laws and that some new Federal force be created. This idea was embodied in the volunteer army plan, known as section 56 of the Senate bill.

Both Houses of Congress wrote a new organization for the National Guard into their bills, and the sections referred to above are the substance of what was included in both bills. The provisions of these sections undoubtedly increase the power of the Federal Government over the National Guard to an enormous extent, provided that they are constitutional. Whether the National Guard will develop under the new law to the extent that its advocates claim is problematical, and time alone can tell whether the experiment will be a success or failure. The sections are so written, however, and the President has so much power in the matter that if the experiment fails the National Guard question must again come to Congress for consideration in the near future. There is no doubt but that the provisions of sections 57 to 119 are stronger and better than the so-called militia-pay bill of former years, which the War Department in a measure favored. They go farther toward federalization than that draft attempted.

Sections 120 and 121 are new matter, and provide for the preparation by the Government to obtain material of war in time of peace. The appointment of the board on mobilization of industries essential for military preparedness is a long step toward preparedness, and the authorization to the President of what is practically the right of eminent domain over industrial plants and organizations in time of war and the investigation into the subject of Government manufacture of arms and equipments are wise measures.

Section 122 provides for the appointment of a board of five retired officers to investigate and report upon past awards or issues of medals of honor by or through the War Department, and if it be found that any medal was issued for any cause other than distinguished conduct by an officer or enlisted men in action involving actual conflict with an enemy, the name of such recipient shall be stricken from the medal-of-honor list. If any person obtained the medal in a manner not authorized by law, he certainly has no right to it, and any person who obtained it in the manner authorized by law can have no objection to an investigation into the merits of the award in his case.

Section 123 provides for the acquisition of gauges, dies, jigs, special tools, etc., required in the manufacture of arms and ammunition, etc. These were not included in the General Staff bill, but the legislation is directly along the lines recommended by the General Staff after its bill was prepared.

Section 124 provides for the production of nitrates by the Federal Government. Provision for obtaining nitrates for Government purposes is wise, but whether its production in Government plants and the extension of the idea to the manufacture of fertilizers and other useful products are wise economic legislative measures are questions which are debatable, having many advocates on both sides.

Section 125 provides for the protection of the uniform of the United States Army, Navy, and Marine Corps against indignity and indiscriminate use, and is a measure that has been advocated for many years.

Section 126 increases the mileage pay to enlisted men on discharge. It was not recommended by the General Staff, but it is a more generous allowance than now given by law. The abuse of this measure can be prevented by regulations of the War Department.

The consensus of opinion in regard to this bill undoubtedly is that it is far and away the best bill that has ever been written for our Army on the subject of military organization. There undoubtedly are certain things in it which might be left out with advantage, and other things that might be added with advantage, but, nevertheless, the statement can not be controverted that it is the first and only comprehensive measure looking to military preparedness that has ever been passed by Congress.

WM. D. CONNOR,  
Major, General Staff Corps.

Mr. HAY. I also call attention to an editorial from the Infantry Journal, a service paper, which also praises very much this bill, and I also ask leave to print this editorial as a part of my remarks.



The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

THE ARMY REORGANIZATION ACT.

[From the editorial department of the Infantry Journal.]

The military phase of preparedness legislation has at last reached its conclusion in the Army reorganization act of 1916. "To increase the efficiency of the military establishment of the United States." This enactment is unique in the history of our military legislation as the first law on our statute books which contemplated the organization of an army in time of peace. For the first time in our history, the principle is embodied in law that the peace composition of an army should be based on its war organization in order that it may be capable of employment as an effective instrument in the emergency of war and serve the purpose of an efficient military school in time of peace.

To the service at large, the adoption of this principle should be welcomed as the only basis upon which our efforts can be concentrated in the accomplishment of our common task and through which alone harmonious action can take the place of the internal wrangling that would forever defeat the most earnest efforts for efficiency. To this magazine, this phase of the legislation is a source of especial gratification as the embodiment of a principle for which it has contended since the date of its establishment. We have, however, no desire to lay claim to its final acceptance as due to any representations on our own part; indeed the validity of the principle is so patent that it must receive recognition the moment that the military problem is given any serious attention. But all process of evolution is necessarily slow. A miscellaneous aggregation only comparatively recently assembled into battalions and at most regiments from scattered frontier company posts can scarcely be expected to view itself as a complete organism and make a muster of its deficiencies.

There will perhaps be some in whose eyes the shortcomings of the bill will loom up in overshadowing proportions against its predominating excellent features. But it must be considered that the task of the legislator is an extremely difficult one. He must not only view the question from the standpoint of military necessity, but also weigh the legislative practicability of the measures which he intends to present and rally support for his program. And anyone who has observed the course of the recent legislation in its meanderings through mazes of amendments and compromises can not fail to bear away the conviction that viewed from the standpoint of what was considered possible a year ago, the provisions of the act which relate to the Regular Army constitute in the main a remarkable legislative achievement.

The Army reorganization is to be sure only an authorization, still to be realized. It is possible that it may never be completely realized. The tide has its ebb as well as its flow.

But it is enough for use for the present that an opportunity for the development of an efficient Army has been given. For years the Army has turned expectant eyes toward Congress in the hope of the legislative action which has been taken. There is no longer any reason for this attitude; the Army now has all that it can efficiently digest for many years to come. The present and the immediate future are periods for introspection and gestation. There will be no excuse on the part of the Army for failure to respond in full measure to the opportunity which it has been afforded. Its best efforts will be necessary to an efficient solution of the many problems which confront it.

Mr. HAY. I reserve the balance of my time, Mr. Chairman. Mr. ANTHONY. I yield 20 minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, this bill appropriates \$3,000,000 for artillery for the National Guard. At that rate of accumulation it would take over 40 years to accumulate the cannon necessary to equip a national guard of the size provided in the Hay-Chamberlain Act. This bill appropriates \$3,000,000 for ammunition for the National Guard. At that rate 34 years would elapse before we accumulate sufficient artillery ammunition to equip the National Guard provided for in the Hay-Chamberlain Act.

Now, Gen. Crozier, Chief of Ordnance, came before the Committee on Military Affairs and said that we would have to appropriate \$85,000,000 for field guns, at the rate of a little over \$16,000,000 a year, if we wish in four years to have enough artillery ammunition to equip the National Guard provided in the Hay-Chamberlain Act. Sixty-five million dollars in bites of \$16,000,000 each, on the basis of equipment specified in the old Greble Board report. The Greble Board figured out in 1911—that is, when they concluded their labors—the amount of artillery and artillery ammunition and small-arms ammunition which was needed to equip American troops in time of war. The board figured on an army of about 500,000 men at the outbreak of war. That was the Greble Board report. But the Greble Board report is out of date. There is a new estimate for us to go on. The Treat Board has recently concluded its labors in the light of the lessons learned in the European war.

Mr. GORDON. Will the gentleman yield?

Mr. GARDNER. Certainly.

Mr. GORDON. The gentleman will recall that the Hay-Chamberlain Act as adopted in conference extended this to five years instead of four.

Mr. GARDNER. It was extended, as the gentleman says, to five years, but Gen. Crozier pointed out that the appropriations for ammunition ought to be made in the next four years, even though the proposed army would not be raised until five years are elapsed. It takes a good while to make ammunition after it is ordered.

As I said, Gen. Crozier not only pointed out that it would cost \$85,000,000 to accumulate in four years the ammunition requisite for the National Guard if we stick to the old Greble Board estimates, but he said it would cost twice as much, or \$134,000,000, to equip the National Guard in four years if we adopted the estimates which he recently submitted to the Secretary of War. These estimates represented the findings of the Treat Board, considerably pared down by Gen. Crozier. Let me tell you about the Treat Board.

The Treat Board was a board of Army officers, like the Greble Board, under the presidency of Col. Treat. Secretary Garrison last year appointed this board to get together and tell us how much artillery we needed to accumulate for our Army for each division. That Treat Board got together and they made a report, and that report went to Gen. Crozier. Gen. Crozier cut that report way down. He cut it down to the bone in some respects. When he cut it down as far as he thought it right to cut it down, then it was taken to the Secretary of War.

The Treat Board recommendations as modified by Gen. Crozier required \$134,000,000 in four years to equip the National Guard with the requisite artillery ammunition to be accumulated in anticipation of possible war—\$134,000,000 in four years, and you have given \$3,000,000. That is why I said it would take 40 years to equip your Army under the basis laid down in the Treat Board report as modified by Gen. Crozier before he submitted it to the Secretary of War. I purpose reading you the correspondence between Gen. Crozier and myself a little later, so that there will be no doubt. Now, Gen. Crozier asked for only \$1,600,000 for machine guns for the National Guard, and the committee has not given a cent. There is not one cent carried in this bill. The machine-gun appropriation for the Regular Army in this bill is only \$1,400,000. As you heard the chairman say, it is calculated on the basis of 5 machine guns for a regiment, while the calculations of our War Department are now 12 machine guns to a regiment, to say nothing of a wastage allowance to supply losses in time of war.

Here is my correspondence with Gen. Crozier:

JUNE 20, 1916.

MY DEAR GEN. CROZIER: If I understand the recent hearings before the Committee on Military Affairs right, the following is a synopsis of the amounts which you asked to have appropriated for the next fiscal year for field artillery and field artillery ammunition for the National Guard:

For the field artillery you stated that \$16,800,000 ought to be appropriated, if Congress wished to continue to appropriate for field artillery on the basis recommended by the Greble Board some years ago. You stated, however, that if Congress wished to adopt the recommendations as to field artillery recently submitted by you to the Secretary of War, then it would be necessary to double the above amount and appropriate approximately \$33,000,000. Instead of the foregoing amount I note that the Army appropriation bill recently reported carries only \$3,000,000 for the field artillery of the National Guard.

As to field-artillery ammunition, if I understand the hearings correctly, you asked for \$8,000,000 wherewith to secure artillery ammunition for the National Guard to be used in case of war. You stated, however, that if the new estimates as to artillery necessities recently submitted by you to the Secretary of War are to be accepted the proper appropriation would be about \$26,000,000. Instead of the foregoing amount I note that the Army appropriation bill recently reported carries only \$1,000,000 for field-artillery ammunition for the National Guard.

I understand that the estimates which you have recently submitted to the Secretary of War are a slight modification of the estimates recently made by the so-called Treat Board, a board of officers convened by Secretary Garrison to estimate the amount of ordnance which should be accumulated as a reserve by the United States prior to the outbreak of war. The Greble Board, I understand, was a board of the same nature as the Treat Board, except that its conclusions were arrived at prior to the European war. In other words, your recent recommendations made to the Secretary of War are based on the lessons of the European war and if adopted would require an expenditure in behalf of the National Guard of approximately \$132,000,000 for field artillery and \$104,000,000 for field-artillery ammunition, your idea being that this amount should be appropriated by Congress in four annual installments.

Am I correct in supposing that at the rate of appropriation provided in the current Army appropriation bill it would take approximately 40 years to accumulate the National Guard Artillery which you have recommended to the Secretary of War and approximately 34 years to accumulate the National Guard Artillery ammunition? I understand that your estimates submitted to the Secretary of War are based on the supposition that the United States is to have an Army of the size recently provided for in the Hay-Chamberlain Act.

Please advise me as to what extent my understanding of the recent hearings is correct.

Very respectfully,

Brig. Gen. WILLIAM CROZIER, U. S. A.,  
Chief, Bureau of Ordnance, Washington, D. C.

To that letter I received this answer:

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF ORDNANCE,  
Washington, June 20, 1916.

HON. A. P. GARDNER,  
House of Representatives.

DEAR MR. GARDNER: Replying to your letter of June 20, I can say that you have correctly understood my statement made before the Committee on Military Affairs of the House of Representatives on April 4, 1916, to the effect that \$16,800,000 should be appropriated for



Field Artillery for the National Guard in order to supply the amount called for under the Greble Board's standards for the force contemplated by the bill H. R. 12766—the Army reorganization bill—in four years' time, and that in order to make a similar provision in accordance with the Treat Board's standards, as subsequently modified by my recommendation, approximately double this sum would be required.

In regard to field artillery ammunition for the National Guard, you have correctly understood my statement that \$8,000,000 should be appropriated in order to supply, in four annual installments, the ammunition required for the National Guard under the Greble Board's standards, the force being the same as mentioned above. I did not, however, state that under the Treat Board's standards, as modified by myself, this sum should be \$26,000,000, although that figure happens to be approximately correct.

Your understanding also is correct that the figures, in regard to these items, which I recommended to the Secretary of War, are a modification of somewhat larger estimates which had been submitted by the Treat Board, above mentioned. The Treat Board was, as you suppose, a board of the same nature as the Greble Board, but its conclusions were arrived at some time after the commencement of the European war, whereas the Greble Board's conclusions were submitted in 1911.

Sincerely, yours,

WILLIAM CROZIER,  
Brigadier General, Chief of Ordnance, United States Army.

HOUSE OF REPRESENTATIVES,  
Washington, June 20, 1916.

Gen. WILLIAM CROZIER,  
Chief of Ordnance, United States Army,  
Washington, D. C.

MY DEAR GENERAL: In examining the recent hearings before the Committee on Military Affairs of the House of Representatives, I note that, on page 771, you ask for appropriation of \$1,670,300 for automatic rifles for the National Guard, and in addition for an appropriation of \$1,400,000 for automatic rifles for the Regular Army. Elsewhere in the hearings I note that you say that these calculations are based on an allowance of five automatic rifles for each regiment. Is the War Department now in possession of sufficient data to enable it to determine whether or not this allowance is adequate?

Sincerely, yours,

To which the Chief of Ordnance replied:

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF ORDNANCE,  
Washington, June 20, 1916.

Hon. A. P. GARDNER,  
House of Representatives.

DEAR MR. GARDNER: Answering your inquiry of June 20, in regard to the allowance of automatic machine rifles per regiment, I can say that, since my hearing of last April before the Committee on Military Affairs of the House of Representatives, to which you refer in your letter, the War Department has acted anew upon the subject of the allowance of these rifles per regiment, and has increased this allowance from approximately 5 per regiment to approximately 12.

Sincerely, yours,

WILLIAM CROZIER,  
Brigadier General, Chief of Ordnance, United States Army.

Now, Mr. Chairman, in the hearings before the committee, Gen. Crozier expressed his own opinion that we ought to have at least 12 machine guns for each regiment. (See p. 770, hearings on Army appropriation bill, Apr. 4, 1916.)

If anybody wishes to ask me any questions I shall be very glad to answer.

Mr. SANFORD. Can the gentleman tell us, approximately, how many men under this appropriation would be available for the mobile Regular Army outside of the number of men necessary for our insular possessions and Alaska? Approximately, how many fighting men?

Mr. GARDNER. I regret to say that the calculations have gone out of my mind. This bill appropriates for 105,000 enlisted men of the line. Of course, they are very largely Coast Artillery and troops over sea. Perhaps the chairman of the committee can answer.

Mr. SANFORD. Thirty or forty thousand.

Mr. GARDNER. I should say more, judging by the number they have collected at the Mexican border. There they have taken Coast Artillery men and turned them into Infantry. Of course, if we were liable to sea attack we could not do that. In that case the gentleman would be perfectly right. I doubt whether in that case there would be a mobile Army of over 40,000 outside of the Coast Artillery. When we read the bill I expect to enter into a discussion of the number of troops now available, and why more were not appropriated for.

Mr. GORDON. Does the gentleman think that this Congress ought to delegate to Army officers the function of determining what is necessary for the defense of this country?

Mr. GARDNER. I think it would be the wisest thing we can do.

Mr. SMITH of Michigan. Will the gentleman please answer what is the number of men in the National Guard that he has computed for? For what number of men does he compute?

Mr. GARDNER. I believe that the National Guard is to consist of somewhere between 425,000 and 470,000 men. It was Gen. Crozier, not I, who made this calculation.

Mr. SMITH of Michigan. And how many are in the National Guard at the present time?

Mr. GARDNER. About 120,000, I think.

Mr. SMITH of Michigan. Would it be the gentleman's idea to provide for 460,000 men in the National Guard when there are only approximately one-third of that number in the National Guard?

Mr. GARDNER. The gentleman's mind is a little confused about what the reserve ammunition is for.

Mr. SMITH of Michigan. Yes?

Mr. GARDNER. If we go to war, we shall need this ammunition for the National Guard or the Volunteers, whichever force does the fighting. The estimates are based on an army of the size of the National Guard plus the Regular Army. In other words, we have got to have reserve ammunition for at least half a million men, whether you call the soldiers Volunteers or whether you call them National Guardsmen, and the reserve of ammunition must be accumulated before the war. Everybody agrees that we shall need at least half a million men if war breaks out.

Mr. SMITH of Michigan. Yes; but suppose war does not break out?

Mr. GARDNER. Then you do not need anything at all. Or, supposing we only fight with little fellows. If we will fight only with little fellows, then we shall not need this large amount.

Mr. SMITH of Michigan. That is what I wish to understand, whether the gentleman's estimate was for a peace footing or for a war footing.

Mr. GARDNER. My estimate was for a real war, what the country wants preparedness against.

Mr. SMITH of Michigan. I agree with the gentleman that we want preparedness.

Mr. GARDNER. What would the gentleman do—provide ammunition after the war started? We have seen enough of that in Europe.

Mr. SMITH of Michigan. I should not. I should say get it before.

Mr. KREIDER. Speaking of machine guns, is the machine gun now possessed by the United States an efficient gun? I understand we have about 1,020 of them.

Mr. GARDNER. No; that is the number authorized.

Mr. KREIDER. How many machine guns have we?

Mr. GARDNER. I should have to look it up.

Mr. HAY. We have 1,077.

Mr. GARDNER. Is not that the authorized number?

Mr. HAY. I think all of them are made except 282.

Mr. GARDNER. Then, that makes a little over 700. I got the figures from the War Department the other day. I will put them in the Record.

[N. B.—The exact figures—952 machine guns complete and 125 more authorized by Congress, 1,077 in all.]

Mr. KREIDER. Does the gentleman know anything about the efficiency of these guns?

Mr. GARDNER. I know something, not a great deal. I am not an expert, but I can give the gentleman a short sketch of the machine gun, as far as I understand it.

Mr. KREIDER. Does the gentleman know whether it is true that these machine guns are not of sufficient reliability so that we can depend upon them, or whether they will heat when fired and become useless?

Mr. GARDNER. I will tell the gentleman as best I can. Two of the Benet-Mercié guns jammed down on the Mexican border. Like all machine guns they are very complicated. There are two little nicks into which the edges of the strip which carries the cartridges must slide with nicety, otherwise the gun will jam. As a matter of fact, two of them jammed in the dark. You may say that we ought not to have machine guns which will jam in the dark, but they tell me that it is very doubtful whether any country in the world has a machine gun which will not jam in the dark, unless under exceptionally trained treatment. I do not know about the Lewis gun, except what I read in the papers in a general way. I do not know whether the Lewis gun is a better gun than the Benet-Mercié gun or not. Some of the very best men in the Army believe that the Benet-Mercié gun is the best gun we can have. Any machine gun is a most complicated piece of machinery. Really we ought to have men trained very highly before we can depend on their handling of these machine guns. Whether there is any better machine gun anywhere else than we have I do not know.

Mr. ANTHONY. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the Mexican situation is one of great interest just at present. We have had several years of watchful waiting and some discussion in the House and in the country at various times as to what was going on in Mexico. I am going to say just a word in reference to the progress of



the revolution in Mexico, and I shall read what I say so as to be very careful that I am correct:

The progress of the revolution in Mexico: Continuous bloodshed and disorders have marked its progress. For three years the Mexican Republic has been torn with civil strife; the lives of Americans and other aliens have been sacrificed; vast properties developed by American capital and enterprise have been destroyed or rendered nonproductive; bandits have been permitted to roam at will through the territory contiguous to the United States and to seize, without punishment or without effective attempt at punishment, the property of Americans, while the lives of citizens of the United States who ventured to remain in Mexican territory or to return there to protect their interests have been taken, and in some cases barbarously taken, and the murderers have neither been apprehended nor brought to justice. It would be difficult to find in the annals of the history of Mexico conditions more deplorable than those which have existed there during these recent years of civil war.

It would be tedious to recount instance after instance, outrage after outrage, atrocity after atrocity, to illustrate the true nature and extent of the widespread conditions of lawlessness and violence which have prevailed. During the past nine months in particular, the frontier of the United States along the lower Rio Grande has been thrown into a state of constant apprehension and turmoil because of frequent and sudden incursions into American territory and depredations and murders on American soil by Mexican bandits who have taken the lives and destroyed the property of American citizens, sometimes carrying American citizens across the international boundary with the booty seized. American garrisons have been attacked at night, American soldiers killed and their equipment and horses stolen; American ranches have been raided, property stolen and destroyed, and American trains wrecked and plundered. The attacks on Brownsville, Red House Ferry, Progreso post office, and Las Peladas, all occurring during September last, are typical. In these attacks on American territory, Carrancista adherents, and even Carrancista soldiers took part in the looting, burning, and killing. Not only were these murders characterized by ruthless brutality but uncivilized acts of mutilation were perpetrated.

Representations were made to Gen. Carranza and he was emphatically requested to stop these reprehensible acts in a section which has long claimed to be under the complete domination of his authority. Notwithstanding these representations and the promise of Gen. Nafarrete to prevent attacks along the international boundary, in the following month of October a passenger train was wrecked by bandits and several persons killed 7 miles north of Brownsville, and an attack was made upon United States troops at the same place several days later. Since these attacks leaders of the bandits well known both to Mexican civil and military authorities as well as to American officers have been enjoying with impunity the liberty of the towns of northern Mexico. So far has the indifference of the de facto government to these atrocities gone that some of these leaders have received not only the protection of that government but encouragement and aid as well.

Depredations upon American persons and property within Mexican jurisdiction have been still more numerous.

Mr. Chairman, I shall not read my remarks any further. I have simply read a statement addressed by the Government of the United States yesterday to the de facto government in Mexico, and if the statements therein are true, as I believe they are, it is to the everlasting shame of the American Republic. [Applause on the Republican side.]

Mr. ANTHONY. Mr. Chairman, the appropriation bill as presented to the House by the committee calls for the amount of money which will be necessary to pay the military expenses of the Government for the next fiscal year, for the support of the Regular Army Establishment and the Organized Militia, or National Guard, at its existing strength to-day, as well as the first increment that was provided by the new Army reorganization bill.

In my opinion, the amount of money providing for the payment of 105,000 enlisted men in the Regular Establishment will be found ample. I do not believe that the department will be successful in enlisting men in excess of that number during the next year, but if they are it is a very easy matter, indeed, for Congress to provide for their payment by a subsequent bill. It is customarily taken care of in one of the deficiency bills.

There are many reasons why there is difficulty in enlisting the maximum number of men in the Regular Army to-day. The greatest reason why there is this difficulty lies in the way the Regular Army has been stationed and allowed to stagnate doing trivial police duty on the Mexican border. It has been the policy of the War Department, and in my opinion it has been a most stupid blunder, to attempt to police the entire border by scattering the Regular Army along its entire length, a mere police guard. It is a well-known fact that, instead of 50,000 men being sufficient for that kind of duty, it would require a half a million men to make a mere airtight defensive patrol. It has been a mere defensive police force for three long years, instead of being allowed to actively pursue, punish, and exterminate the bandits and cattle thieves which have crossed the border.

Mr. HILL. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HILL. I was surprised to hear the gentleman state that this bill provided for a strength of the Regular Army for the coming year—

Mr. ANTHONY. Not strength, but pay.

Mr. HILL. That means strength, for you will not have men that are not paid.

Mr. ANTHONY. If we succeed in getting an excess of the estimated number, Congress will readily provide the additional pay in a deficiency bill.

Mr. HILL. But Congress may not be in session. What I want to know is whether I correctly understood the gentleman that this bill provides for the pay of only 105,000 men during the coming year.

Mr. ANTHONY. That is correct.

Mr. HILL. That is, 20,000 that we authorized last February; 5,000 more out of the 175,000 or 206,000, whatever it was, that we authorized the other day.

Mr. ANTHONY. The gentleman's assumption is correct, but the committee only hopes that the War Department will succeed in enlisting the remaining maximum strength, and if they do, means will be found for their payment.

Mr. HILL. But you can do that only by further legislation.

Mr. HAY. If the gentleman will permit me, they can create a deficiency in the pay of the Army.

Mr. HILL. I think the country misunderstands the purpose and object of the Army reorganization bill which was passed the other day.

Mr. ANTHONY. If the gentleman will permit, in my opinion, if the administration will change its policy of merely policing the Mexican border and chasing a few irresponsible bandits in northern Mexico and will decide on a positive and definite line of action as affecting the American Army on the border and in Mexico, there will be no trouble in recruiting the Army up to its maximum strength. The trouble has been that they have been scattered along the border in small detachments, in uncomfortable camps, performing most disagreeable duty, until they have been permitted to stagnate; and so many of the men have refused to reenlist when their terms expired. The policy of the department in this respect has been a great and severe injury to the morale of the Army on the border. Instead of such a miserable policy of inaction and indecision a policy of strong and aggressive action should have been pursued. If retributive justice had been promptly meted out to every marauding band that crossed the border, and had been the rule at the beginning three years ago, it would not have required one-quarter of the men to handle the situation now.

Mr. QUIN. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. QUIN. Did not they send troops in keeping with the dignity of this country after Villa and his crowd?

Mr. ANTHONY. Yes; but if the gentleman can point to any accomplishment so far of that expedition in ameliorating conditions in Mexico, I would be glad for him to do so. The trouble has been that the Army has been used as a mere police force chasing a few individual offenders, and the sooner that idea is done away with and some broad policy of reformation and reconstruction commenced the better it will be for the American Army and the better it will be both for the people and Government of Mexico and the United States as well. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. FESS. If Villa is the only one that we went after in this punitive expedition, how long would it have been before we had him if we had offered \$100,000 for him dead or alive?

Mr. ANTHONY. That would have been the most effective undoubtedly, I will say to the gentleman; but the mere personality of Villa is but an incident in the whole Mexican question. The trouble is that the administration has not been able to see the great, big, broad, humanitarian side and aspect of that question down there. It is not the mere punishment of one bandit, but it is a matter of restoring peace and order and good government to a stricken nation on our borders. It is a duty that we owe to humanity as well as to our own citizens to bring about a proper condition of affairs, so that not only the 15,000,000 Mexican people can enjoy peace and prosperity but American lives and property made safe in Mexico and the dignity and honor of the United States preserved as well.

Mr. GORDON. Mr. Chairman, what business has the President of the United States to send an army into a foreign country for the purpose of furnishing them with good government?

Mr. ANTHONY. The President of the United States, in my opinion, does not do his duty if he allows an American citizen engaged in peaceful and law-abiding pursuits at any place on the face of the globe to suffer insult, injury, and damage to life and property. [Applause on the Republican side.]

Mr. GORDON. Oh, well, but the gentleman does not understand my question, and he has not answered it. What right has the President of the United States to send the Army of the



United States into a foreign country to create this beautiful condition that the gentleman has just described?

Mr. ANTHONY. I will say to the gentleman that legally the President of the United States probably has not any right, but every President in the history of the country has always exercised it when the emergency confronted him.

Mr. GORDON. Never has a President of the United States done that in any foreign country.

Mr. MOORE of Pennsylvania. Mr. Chairman, by the same token, what right had the President of the United States to tell the provisional president of another country to get out of office until somebody else was found that would be satisfactory to the President of the United States?

Mr. ANTHONY. He assumed that right, as I endeavored to tell the gentleman from Ohio.

Mr. HARDY. Mr. Chairman, I would like to have the gentleman point to the words whereby the President ever did any such thing.

Mr. ANTHONY. We can point to the acts. We do not need to point to the words. He sent the Army to Vera Cruz.

Mr. FESS. I should like to recall to the mind of the gentleman from Texas [Mr. HARDY] that the President said from the Speaker's rostrum in our hearing that Huerta must go, and it could not be any clearer than that.

Mr. ANTHONY. Undoubtedly the President took that position.

Mr. HARDY. Just one moment in reference to that. Unquestionably the President has always believed that Mr. Huerta should go, and said so to Congress.

Mr. ANTHONY. Yes; and, in my opinion, that was the first great blunder the President made. [Applause on the Republican side.]

Mr. HARDY. That is a question of opinion, and the gentleman has a right to his opinion.

Mr. ANTHONY. And history has demonstrated that it was a blunder. I want to say to the gentleman that, in my opinion, Victoriano Huerta was the only powerful figure developed in the revolutionary struggles in Mexico who showed capacity to properly handle the situation [applause on the Republican side], and that man should have been recognized; but, instead of that, the President has attempted to do business, one after another, with every single bandit leader who has popped up in momentary authority, and, instead of getting cooperation from those men with whom he has attempted to do business, they have turned around and kicked him in the face until now every one of them has gone back on him and he finds himself without a single Mexican friend or ally; and it is up to the President of the United States, in my opinion, to use a common phrase, to "fish or cut bait."

Mr. HARDY. Will the gentleman yield for one question? If Huerta was such a wonderfully competent man, why didn't your President Taft recognize him? [Applause on the Democratic side.]

Mr. ANTHONY. Let me say to the gentleman from Texas—let me refresh his history and his dates—that President Madero was assassinated just nine days before the expiration of the term of office of President Taft. [Applause on the Republican side.]

Mr. HARDY. And let me say, further, that President Huerta was more firmly fixed in power immediately after that assassination than ever afterwards.

Mr. ANTHONY. Why did not your President recognize Huerta and do the proper thing?

Mr. HARDY. Why did not your President do it?

Mr. ANTHONY. He did not have time.

Mr. HARDY. Oh, did not have time!

Mr. GARRETT. The gentleman does not doubt, does he, that Huerta reached the presidency by exercising the forces of assassination?

Mr. ANTHONY. I do not know anything about that. Suppose he did rise to his power by assassination. All of the men in Mexico with whom the President has subsequently attempted to ally himself with have been admitted murderers, assassins, bandits, and thieves, if not actually, by countenancing and condoning such conditions. Victoriano Huerta stood out as the one great, strong figure—head and shoulders above them all.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Then the gentleman knows that the immediate consequence of the assassination of Madero was the rise to power of Huerta?

Mr. ANTHONY. Yes; he was the strong man who seized the reins of government at that time in that emergency.

Mr. GARRETT. And the gentleman would have the President of the United States recognize as the head of another

Government one who rose to his place and power by use of the force of assassination?

Mr. ANTHONY. Oh, no; I would not proceed upon that basis, but I would recognize conditions as they are. I do not think it is any part or business of our country to interfere with the internal conditions in other countries unless the matter of American lives and American property is at stake.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SMITH of Michigan. I would like to inquire whether or not England, France, Russia, and Japan did not all recognize Huerta, and whether or not Diaz did not assume the same power after the extinction and murder of his predecessor?

Mr. ANTHONY. Undoubtedly.

Mr. GOODWIN of Arkansas. And I should like to know the chief occupation at the present time of those countries that recognized Huerta.

Mr. KREIDER. Is it not a fact that Gen. Huerta was elected legally, according to the constitution of Mexico?

Mr. ANTHONY. Yes.

Mr. KREIDER. And is it not a fact that the constitution of Mexico provides that in case of the death or resignation of both the president and the vice president, the Congress of Mexico shall elect a president, and is it not a fact that is exactly what occurred; and is it not also a fact that our administration went there and deliberately dictated to the people of Mexico, stating that the man whom the Congress of Mexico had elected was illegally elected, and did it not undertake to unhorse him? Mr. Chairman, this administration has sown the wind and it is reaping the whirlwind. [Applause on the Republican side.]

Mr. GARRETT. "In the event of death" is quite significant in that connection.

Mr. KREIDER. "Or resignation," and the resignation occurred before the death.

Mr. ANTHONY. Mr. Chairman, I will yield for one more question, and then I would like to say a word or two about the bill.

The CHAIRMAN. To whom does the gentleman yield?

Mr. ANTHONY. To the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. The gentleman has information that I want him now to disclose. Has it ever been known or well established that Huerta in any way conspired to the death of Madero?

Mr. ANTHONY. I do not think so.

Mr. GORDON. If the gentleman will yield—

Mr. ANTHONY. I can not yield further.

The CHAIRMAN. The gentleman declines to yield further to any member of the committee.

Mr. DAVIS of Texas. Will the gentleman yield for one question?

Mr. ANTHONY. I will yield for one question only.

Mr. DAVIS of Texas. I represent 1,300 miles of Mexican border, and I just wanted to call attention to the fact that Huerta wired President Taft, "I have overthrown the government and am now in charge." He was the Guiteau of that country.

Mr. ANTHONY. Well, I do not know about that. Now, Mr. Chairman—

Mr. FESS. Will the gentleman yield for one more question?

Mr. ANTHONY. I yield to the gentleman from Ohio.

Mr. FESS. And that is in reference to why President Taft did not recognize Huerta. Is it not true, as the newspapers carried it on the 23d of February, that President Taft consulted President-elect Wilson as to what he wanted him to do, as to whether he should do anything, and it was the request of the President-elect not to take any steps? That was carried in all the press of the country.

Mr. ANTHONY. I will say to the gentleman I have been so informed, and I believe he took no action out of consideration of the President-elect.

Mr. DECKER. Will the gentleman yield for one question?

Mr. ANTHONY. I prefer to finish my remarks and to yield at the end of that time, if possible.

Mr. DECKER. I just wanted to know, if the gentleman were President, if he would have recognized Huerta after he wired the President that he had overthrown the Government and was in charge? I wanted to know the gentleman's views.

Mr. ANTHONY. I would certainly have given such recognition at the proper time. Now, Mr. Chairman, there are some points of difference between the majority and minority, perhaps, on the appropriation bill before the House, but they are not very great. It has been claimed, and some Members of the minority feel that perhaps the appropriations for field artillery, ammunition, and field artillery for the National Guard are not as



large as they should be, but in justice to the action which the committee took I want to say that sufficient appropriation has been provided by the committee for those two items in conjunction with the money which has already been appropriated by the Fortifications Committee to keep every arsenal, every Government ammunition factory, every Government powder factory running on full time for the next year in order to use up this money, and if additional money is appropriated that money will have to be expended under private contracts.

Another thing. The House must take under consideration the fact that never were the facilities of this country so good and so great as they are now for the manufacture of arms, artillery, and ammunition, and, as Gen. Crozier stated to our committee the other day, when the item of the automatic machine guns was up, he did not think there was any great hurry about proceeding to the manufacture of a great number of those guns because immense American factories were in process of construction or are now under operation on foreign contracts to the capacity of producing very great numbers of these important arms, which this Government could acquire in sufficient number to arm its forces if any emergency arose in the very shortest possible time.

Mr. MADDEN. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. MADDEN. I saw a statement in one of the Chicago papers this morning to the effect that a number of machine-gun companies had been organized out of the militia, and that there was not a single machine gun to be supplied to those companies.

Mr. ANTHONY. And that is not true. The Army has a thousand machine guns already available—

Mr. GARDNER. Is that correct?

Mr. ANTHONY. And as the National Guard companies are organized the department will be able to supply them with machine guns.

Mr. GARDNER. Is the gentleman correct in saying—

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Has all the time expired on this side?

The CHAIRMAN. It has.

Mr. HAY. How much time does the gentleman want?

Mr. ANTHONY. Oh, about five minutes.

Mr. HAY. I have only 10 minutes.

Mr. ANTHONY. That is all right; we will take time under the five-minute rule.

Mr. HAY. And I wanted some to explain about these guns. I will yield the gentleman three minutes.

Mr. ANTHONY. That will be sufficient.

Mr. GARDNER. Is the gentleman sure about there being a thousand machine guns already available?

Mr. ANTHONY. I think so.

Mr. GARDNER. I think it was stated there were 1,088 authorized.

Mr. ANTHONY. Well, either they had them or they were authorized.

Mr. GARDNER. Well, that is a very different thing from having them available.

Mr. ANTHONY. Gen. Crozier coupled with that the statement that we could get machine guns instantly—

Mr. GARDNER. If we could buy them.

Mr. ANTHONY. That manufacturing facilities are so great in this country that they could be instantly provided.

Mr. GARDNER. He asked \$1,600,000, and you did not give it to him.

Mr. ANTHONY. Let me say another word to the gentleman from Massachusetts. He speaks about taking 40 years to supply the National Guard of this country with field artillery at the rate it is being appropriated for. The gentleman hardly believes that statement—

Mr. GARDNER. Absolutely.

Mr. ANTHONY. Then, if the gentleman will take into consideration the figures of the Treat Board as applied to a National Guard of about 400,000, and it calls for 4.6 guns per thousand, for that number of men would be 1,680 guns. The appropriations made this year by the two committees provide for a total of nearly 400 field guns, if my figures are correct, for both the Regular Army and the militia, and the Regular Army now has practically enough guns for the force we have.

Mr. GARDNER. I will read to the gentleman, if he will allow me, the statement of Gen. Crozier.

Mr. ANTHONY. Let me say to the gentleman that I have not the slightest objection personally to increasing these two appropriations. In fact I should be willing to vote for a reasonable and adequate increase in them, but I do not think it can be taken to be a public emergency for which sufficient appropriations have not been made, because of the fact that the manufacturing capacity of the country at large to-day is so

great, and the output of munitions of war is so large, that we can abundantly provide ourselves in an emergency.

Mr. SHALLENBERGER. Does the gentleman recall that Gen. Crozier stated as one of the reasons why we are not manufacturing more machine guns that the manufacturers of this country have equipped and qualified themselves so that they are ready to furnish an almost unlimited quantity of the very best machine guns, of the kind being used in Europe, so that if we need them we can buy them in unlimited quantities?

Mr. ANTHONY. Yes.

Mr. GARDNER. Let me read from page 784 of the hearings:

Mr. McKELLAR. How much are the 212 batteries to cost?

Mr. KAHN. \$22,093,588. I make it.

The CHAIRMAN. And \$66,978,151 is the cost of all of them. You are asking now for one-fourth of that \$66,000,000.

Gen. CROZIER. I am asking for approximately one-fourth of that \$66,000,000 now; and that figure, Mr. Chairman, I will remind you, relates to the Greble Board of standards.

The CHAIRMAN. Yes.

Gen. CROZIER. If you adopt the standards of the Treat Board, as they were modified by myself, that figure would have to be just about doubled.

Making \$133,000,000. Now, if you will divide 3,000,000 into 133,000,000, what is the quotient? Over 40 years, is it not?

Mr. ANTHONY. There is perhaps a difference of opinion between the committee and some of the experts of the War Department as to the amount of ammunition and the number of guns we should have in reserve.

Mr. GARDNER. Very likely; but the gentleman said that my statement about taking 40 years to accumulate a sufficient supply was incorrect.

Mr. ANTHONY. I believe it is incorrect.

Mr. GARDNER. Well, I have just shown the gentleman that it is not. [Applause on the Republican side.]

Mr. HAY. Mr. Chairman, I am sorry that there has been injected into this debate the political phase of it with regard to our relations with Mexico. The President of the United States, Woodrow Wilson, has pursued toward Mexico a policy which up to this time has had the confidence and the backing of the people of the United States. [Applause on the Democratic side, and cries of "No!" "No!" on the Republican side.] Gentlemen on the other side of the House have never had a policy about it, and they have not one now. [Applause on the Democratic side.] They are very much opposed to the President when he is at peace, and now that they think there is going to be a war they are very much more opposed to that. [Applause on the Democratic side.]

Mr. MADDEN. Will the gentleman yield?

Mr. HAY. I will not yield. The President of the United States has the situation in hand. He is going to pursue a course which will bring peace and honor to the United States, and, I trust, peace to distracted Mexico. [Applause on the Democratic side.] The fact that to-day all over this country thousands of young men are rushing to join the National Guard for the purpose of service in Mexico is an assurance that the people believe that what the President has done is right. What he has done is right, and what he will do will be right. [Applause on the Democratic side.]

The CHAIRMAN. The Clerk will read the bill under the five-minute rule.

The Clerk read as follows:

Contingencies of the Army: For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, exclusive of personal services in the War Department, or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed \$4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, \$25,000.

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on the paragraph, for the purpose of calling the attention of the gentleman of Virginia to the last portion of it, which provides for the payment of a per diem allowance not to exceed \$4. I do this for the purpose of calling attention to the fact that this is now the general law. I have no objection to the provision, but if we continue to reenact that provision of the general law in this bill it will tend to cause confusion, and possible doubt as to other lump sums which are being carried in other bills, a portion of which is used for a similar purpose.

Mr. HAY. I will say to the gentleman that this provision has been carried in this bill in these words for many years. I hope he will not make the point of order.

Mr. BYRNS of Tennessee. I shall not, of course, if the gentleman insists on retaining it in the bill; but, as I have stated, it is the general law now, and as I view it it is wholly unnecessary to carry it in this bill. I want to state this to the gentle-



man in further explanation of my action: In consideration of another bill where lump sums have been provided, attention has been called to this same provision, and the question has been raised as to whether it was so carried because some one doubted whether or not they had the right to pay a per diem allowance of \$4 per day under the general law. It was only for that reason that I wanted to call it to the attention of the gentleman on this occasion.

Mr. HAY. I had not had my attention called to it, but I should like to have it remain in the bill, and when it is considered again I will call the attention of the Secretary of War to it.

The CHAIRMAN. Does the gentleman from Tennessee withdraw his point of order?

Mr. BYRNS of Tennessee. I withdraw the point of order.

The Clerk read as follows:

Expenses of military observers abroad: For the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$15,000.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee a question. What is the total amount appropriated in this bill?

Mr. HAY. One hundred and fifty-seven million dollars.

Mr. HILL. How much is that in excess of last year?

Mr. HAY. Fifty-six million dollars.

Mr. HILL. How much of that is due to so-called preparation, and how much would the bill have carried, probably, if there had been no excitement or occasion to make additional appropriations on that account?

Mr. HAY. It would have been about the same as it was last year, I take it, about \$100,000,000.

Mr. HILL. My reason for asking the question is that by and by we are going to have some tax bills come in here. I presume perhaps the gentleman from Texas [Mr. GARNER] can tell us about those.

Mr. GARNER. We hope to bring in a revenue bill that will be so satisfactory that even the gentleman from Connecticut will vote for it.

Mr. HILL. It will probably be a bill for a large amount, and I am heartily in favor of giving the administration all the money that it needs to protect and defend this country properly now, regardless of what has occurred in Mexico heretofore. We will fight out on the stump the question as to what has occurred before. Here in this House now I propose to stand by the proposition to give the Government all the money that it needs, but I want to vote intelligently by and by as to how much the Government will need, and for that reason I have asked the gentleman the question. I am very sorry that the appropriation bill does not provide for the largest possible force which can be secured under the provisions of the act that the gentleman from Virginia brought in here and successfully passed the other day.

Mr. HAY. The gentleman will understand that this bill does provide for the pay of as many men as are expected to be enlisted in the Army during the next fiscal year.

Mr. HILL. The gentleman says "as many men as are expected to be enlisted." He ought to bear in mind the fact that when the naval bill was up the other day I offered an amendment providing for giving a bounty to get men enough to man the ships that we have, and that amendment was turned down by the House. Yet this very day in the newspapers it is announced that that amount is to be largely exceeded by the Senate before the naval bill gets back to us for consideration. I have not the slightest doubt but that the same thing will occur with regard to this bill, and I wish the gentleman from Virginia [Mr. HAY] to have the honor and credit of fully meeting the exigencies of the occasion instead of waiting to have that done in the Senate.

Mr. HAY. I will state to the gentleman from Connecticut that this bill, so far as the Committee on Military Affairs have been able to ascertain, carries every dollar that the department thinks will be needed for the next fiscal year. Now, there is a difference of opinion perhaps as to the reserve supply. That is another question; but as to the running and current expenses for the next fiscal year for the Army, this bill carries every dollar necessary.

Mr. HILL. The gentleman is authorized to appropriate for 120,000 men this year, is he not?

Mr. HAY. Yes.

Mr. HILL. He has only appropriated for 105,000. Why?

Mr. HAY. Because the War Department only asked for an appropriation for 105,000 men.

Mr. HILL. Is the gentleman governed entirely by that opinion or does he use his own judgment?

Mr. HAY. The gentleman from Connecticut has been here for many years, and he has never known any Appropriation Committee to exceed the amount asked for by the department.

Mr. HILL. If the appropriation were made for the full amount allowed by law and it should not all of it be expended, there would be no harm done, would there?

Mr. HAY. The gentleman knows very well that it is not the custom of this House to appropriate large sums of money with the idea that they will not be expended.

Mr. HILL. But the situation now is very exceptional. It has been the custom in time of war to do so. We appropriated \$50,000,000 at the beginning of the Spanish War in five minutes.

Mr. HAY. We are not at war, and if the administration asks for any addition to this bill on account of the situation in Mexico nobody will be quicker than I to respond to the request.

Mr. HILL. I am very glad to hear the gentleman say so.

Mr. HAY. I have not been asked to do anything of that kind.

Mr. GARDNER. Mr. Chairman, the fact is that the War Department does not know nor does anybody else know how many enlisted men are authorized by the Hay-Chamberlain Act for the fiscal year ending June 30, 1917. I hold in my hand a letter from Gen. McCain which I shall present to the House to-day. You will find that instead of having over 200,000 enlisted men of the line in the Regular Army, as the country thinks we are shortly going to have, the true figure will not exceed 120,000 prior to the 1st of July, 1917. That is the outside figure, 120,000. Neither the War Department nor anybody else in any figures that I have seen, not even the chairman of the Military Affairs Committee, claims that the number can lawfully exceed 120,000. That is, under existing law we can enlist no more than that number, even if recruits swarm in to our hearts' content. Even if recruits were to come in swarms, even if we should appropriate \$100,000,000, unless we change the law, we shall not get a greater Army than 120,000 enlisted combatants at the outside prior to July 1, 1917.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Provided further, That purchase of typewriting machines, to be paid for from this appropriation, may be made at the special price allowed to schools teaching stenography and typewriting without obligating typewriter companies to supply these machines to all departments of the Government at the same price.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read for the purpose of obtaining some information. What is the special need of making provision to have typewriting machines purchased at a special price?

Mr. HAY. It is merely a matter of getting them more cheaply.

Mr. STAFFORD. In the legislative bill passed this session we made some general provision for the purchase of typewriting machines below the regular price at which they are offered, and I thought that provision would cover this paragraph.

Mr. HAY. This paragraph gets them much cheaper than they do under the general law or the provision to which the gentleman refers.

Mr. STAFFORD. Can the gentleman inform the committee at what price they will be furnished?

Mr. HAY. No; I can not. The Chief of the Coast Artillery at the hearings stated that he could buy the machines much cheaper if he could get this provision in the bill.

Mr. STAFFORD. I assume that these typewriters are used especially for school purposes or allied school purposes, and that brings the rate furnished by the typewriting-machine companies to schools?

Mr. HAY. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

#### OFFICE OF THE CHIEF SIGNAL OFFICER.

Signal Service of the Army: For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, radio installations, signal equipments and stores, binocular glasses, telescopes, heliostats, and other necessary instruments, including necessary meteorological instruments for use on target ranges; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps, for use in the office of the Chief Signal Officer; war balloons and airships and accessories, including their maintenance and repair; telephone apparatus (exclusive of exchange service) and maintenance of the same; electrical installations and maintenance at military posts; fire-control and direction apparatus and material for Field Artillery; maintenance and repair of military lines and cables, including salaries of civilian employees, supplies, general repairs, reserved supplies, and other expenses connected with the duty of collecting and transmitting information for the Army by telegraph or otherwise, \$1,775,000: Provided, however, That not more than \$1,222,100 of the foregoing appropriation shall be used for the purchase, manufacture, maintenance, operation, and repair of airships and other aerial machines and accessories necessary in the aviation section; and for the purchase, maintenance, repair, and operation of motor-propelled, passenger-carrying



vehicles which may be necessary for the aviation section: *Provided further*, That not to exceed \$50,000 of the above sum will be available for the payment of all expenses in connection with the development of a suitable type of aviation motor, under such regulations as the Secretary of War may prescribe.

Mr. BYRNS of Tennessee. Mr. Chairman, I make a point of order on this portion of the paragraph beginning, on line 20, as follows: "professional scientific books of reference, pamphlets, periodicals, newspapers, and maps for use in the office of Chief Signal Officer."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order to the paragraph.

Mr. BYRNS of Tennessee. This is distinctly within the jurisdiction of another committee, and appropriations have already been made for it.

Mr. HAY. I would like to have the gentleman show me where the appropriations have been made.

Mr. BYRNS of Tennessee. It has been made under the head of "Contingent expenses for the War Department, \$45,000," for this and other purposes.

Mr. HAY. Well, Mr. Chairman, I have no objection.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. I wish to obtain some information particularly as to the progress that is being made relative to motors for aeroplanes. We have here a limitation not to exceed \$50,000 for the development of a suitable type of aviation motor.

Mr. HAY. The aviation motor is the thing which has been most troublesome in the development of aviation machines. The purpose of this is to have the War Department test out as far as possible every type of aviation motor in order to find out which is the best.

Mr. STAFFORD. Is it the plan of the Government to engage in the manufacture of any special motor?

Mr. HAY. No; I think not. It is the purpose to have the department investigate and have made under their direction, perhaps, such an aviation motor as they may think best to use in these Army aeroplanes.

Mr. STAFFORD. I am somewhat acquainted with the work that is being done by the Navy in connection with aviation matters and the experimentations that are going on in that department, and I would like to inquire of the gentleman whether there is any cooperation between the two arms of the service in this line of activity?

Mr. HAY. Not that I know of.

Mr. MANN. Well, there is. Mr. Chairman, I do not know but that I may be able to make an interesting contribution upon this subject, just for a moment.

Mr. HAY. Mr. Chairman, the committee would be very glad to hear the gentleman.

Mr. MANN. Mr. Chairman, I expect that what I have to say will possibly develop the reason for this item in the bill. We are making a good many aeroplanes for shipment to Europe, but none of them have yet been made that they dare send into the war. They use them for instruction in England to teach men how to fly, but when they go to the Continent to engage in the war they do not use the American machines, and when they take them over there they do not use the American motors. England did not have a motor or a flying machine to speak of. She made an appropriation of £10,000 as a prize to some one who would discover a suitable motor and provide it. Some one did, and that is the motor that they use in English flying machines. We have not yet learned how to make a motor for a flying machine which compares with the machines of England, Germany, or France. It may be that we will develop something of that sort. The Packard Co.—and I am not seeking to advertise the Packard automobile, for that is not the kind of machine I often have occasion to ride in—it is too rich for my blood—the Packard Co., as I understand, have started in to provide a plant for the making of motors to see whether they can develop an air-machine motor. Of course, that has nothing to do with this item, but it may save the expenditure of this money. We have developed an automobile motor which is probably as good as any in the world, at least there are only one or two that are any better than our automobile motors; but when you come to develop a flying-machine motor, very small in extent, light in weight, which will develop a horsepower of 300, you have got to have the very cream and essence of everything. Our motors now on flying machines develop 160 horsepower, but those machines over on the other side which they use in the war develop 300 horsepower, and they wear and last. Even with the machine which we now have, which develops 160 horsepower, it is very difficult with the present motor to always control it. Strange to say, when our flying machines that fly very well up here go down to Mexico and strike a temperature in the sun of 110° to possibly 150°, with the air light, the wheel revolves so fast that it breaks to pieces. I think perhaps we

can develop an American motor of 300 horsepower which will be just as good as any in the world. We have always thought when it came to ingenuity, working with machinery, that, if the American mind would turn itself to that, it could not be excelled by any in the world. This is an effort to find out whether that is true, and it is a good effort.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, I am going to offer a real amendment, and would not the gentleman rather talk upon that?

Mr. BORLAND. No; I want to talk generally. A few moments ago the gentleman from Illinois [Mr. MANN] referred to conditions in Mexico. I have always noticed that it is a good deal easier to indulge—

Mr. HAY. Mr. Chairman, I do not want to make the point of order on my colleague, but we do desire to get through this bill, and if we are going to inject political discussions we will never get through.

Mr. BORLAND. I will confine myself to five minutes, Mr. Chairman, on account of the suggestion of the chairman of the committee, because I do not care to prolong the passage of the bill.

The next few days may determine the question of our relations to Mexico. It is a very serious question, and one upon which our Government has been careful not to act hastily.

When the present Democratic administration came into power, it found a condition of revolution existing in Mexico which had begun under the previous administration. As early as March 14, 1912, President Taft had been obliged to ask Congress for specific authority to place an embargo on shipment of arms to Mexico. A joint resolution was passed in these words:

That whenever the President shall find that in any American country conditions of domestic violence exist which are promoted by the use of arms or munitions of war procured from the United States, and shall make proclamation thereof, it shall be unlawful to export, except under such limitation and exceptions as the President shall prescribe, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.

The revolution apparently was successful, and nearly a year after the inauguration of President Wilson, when it seemed that the Mexicans had at length restored their government by the selection of the constitutional President, Francisco Madero, this embargo was removed on February 3, 1914.

Unfortunately, the liberal administration of Madero, which seemed to be actuated by an honest intention to carry out great fundamental reforms and raise the Mexican people to a full share of participation in their own government, was taken advantage of by disorderly and ambitious elements in that country. The assassination of President Madero in cold blood was followed by the attempt to restore a military dictatorship. Revolution broke out again in its most violent form, especially in the northern States of Mexico adjoining our border. On October 9, 1915, President Wilson found it necessary to reimpose the embargo against the shipment of arms, applying it by Executive order against the States of Chihuahua, Sonora, and Lower California. This applied specifically to the territory then overrun by the bandit Villa, which was in a state of anarchy without semblance of civilized government.

Ten days preceding, on October 9, 1915, this Government had recognized the de facto government of Gen. Carranza, under whose leadership the revolutionary forces had apparently been consolidated. The purpose evidently of our administration was to accord to Mexico the full rights of an independent nation and a sister Republic, and to permit her to work out her own national destiny. She was to be given an opportunity to restore civil government and public order by the free action of her own people. It was even apparent that our Government was using every effort to prevent any interference with the restoration of the public order in Mexico by the shipment of arms or the organization of hostile conspiracies from within our border.

Throughout the distressing difficulties of Mexico the sympathies of the great majority of Americans were with the Mexican people, and we were anxious that they should speedily end their troubles without outside interference. To what extent the good offices of the United States prevented interference by European countries and to what extent the shield and protection of the Monroe doctrine secured Mexico in her national rights only the secret archives of the two countries involved will be able to show. During all this time American rights had been sacrificed, American property destroyed, and American citizens outraged and murdered. To a large extent these are the natural results of civil war, and can not be charged in each specific instance to the government of a country where they occur when it is attempted to suppress domestic insurrection.



As has been well said in the note of Secretary of State Lansing, just issued to the Mexican Government:

The Government of the United States, if it had had designs upon the territory of Mexico, would have had no difficulty in finding during this period of revolution and disorder many plausible arguments for intervention in Mexican affairs. Hoping, however, that the people of Mexico would through their own efforts restore peace and establish an orderly government, the United States has awaited with patience the consummation of the revolution. When the superiority of the revolutionary faction led by Gen. Carranza became undoubted the United States, after conferring with six others of the American Republics, recognized unconditionally the present de facto government. It hoped and expected that that government would speedily restore order and provide the Mexican people, and others who had given their energy and substance to the development of the great resources of the Republic, opportunity to rebuild in peace and security their shattered fortunes.

The de facto government of Gen. Carranza which was thus recognized on October 9 has had every opportunity accorded it to restore public order and civil government throughout Mexico. During all of this time there has been directed against the administration at Washington the unbridled criticisms and malicious attacks of bitter partisans in our own country, who were seeking to discredit the administration by contending at each step, without rhyme, reason, or consistency, that the American Government was doing exactly the wrong thing. Of course it is impossible to follow or to explain, much less to answer, these criticisms, which were clearly partisan in their nature. No course was pointed out by these self-constituted critics, consistent, practical, or honorable, and scarcely two of them agreed among themselves.

While the Government of the United States has thus been anxious to accord full rights to Mexico and to any real government existing therein, it can not continue to accord such rights to a government which does not govern or to a military ruler who refuses to accept the responsibility of international obligations. While the mere existence of civil war and insurrection in a country, even though it incidentally affects the lives and property of foreigners, is not a cause for intervention, and certainly the mere existence of outlaw bands or the raids of bandits is not to be charged against a government otherwise responsible, active, and vigilant for the protection of its territory; yet when a country reaches that point where it has no government strong enough to exercise the ordinary power and to accept the ordinary responsibilities of national existence, some method of policing such a disorderly territory must exist.

International law fully recognizes the right of a nation affected thereby to protect itself against the absolute collapse of all pretense of civil order. A de facto government can not exist in a country for the sole purpose of collecting revenue by confiscation or otherwise without the power or desire of restoring public order or protecting the international boundaries, and yet expect to be treated with the same consideration and respect as a real national authority.

I pointed out a few weeks ago that the de facto government of Gen. Carranza was growing weaker instead of stronger. Apparently now his only purpose or method of remaining in power is to inflame the minds of the Mexican people against the United States—the country which has suffered most in loss of property and lives from the disorders in Mexico, has been the most patient and sympathetic under such trying circumstances, and has been the one friend of Mexico in its possible complications with other nations. Much of the wealth of Mexico was created by American enterprise; much of its commercial development was due to investment of American capital; much of its political and social life reflected the influence of American ideals. The great bulk of Americans in Mexico have had no part in the revolutionary disturbances which have occurred there, but the loss and suffering have fallen upon them without any fault on their side.

It is not necessary that we should abandon Mexico to anarchy or close it to the legitimate business and natural intercourse which should exist between civilized States. The American Army now in Mexico should not come out, nor should any promises be held out as to the present or future policy of this country to any man or set of men now claiming to exercise political authority in Mexico. Until there is a government in Mexico—not a de facto government conducted by the chief of a fluctuating and well-equipped revolutionary army, but a civil government capable of discharging its national responsibilities—the present policing and protection of northern Mexico should continue. [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I move to amend, on page 7, lines 6 and 7, by striking out "\$1,775,000" and inserting "\$3,775,000," and by striking out "\$1,222,100" and inserting "\$3,222,100."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, in line 6, page 7, by striking out "\$1,775,000" and inserting "\$3,775,000," and in line 7 by striking out "\$1,222,100" and inserting "\$3,222,100."

Mr. MANN. Mr. Chairman, the Committee on Military Affairs has made what would ordinarily be a very liberal increase for the aviation service. The amount carried last year for the flying machines was \$300,000. This year there is an increase to \$1,222,100. If the situation was not as it is, I would not suggest any increase. We increased the aviation appropriation for the Navy to three and one-half million dollars. It is much more important that the Army have flying machines than it is that the Navy should have them. No one has yet discovered, though I hope some one will, a flying machine for use in the Navy that can rise from the water with any effect. Take the situation in Mexico now. We have a border line there, I think the gentleman from Texas said this morning, of thirteen hundred miles.

Well, say the whole of Texas has 1,800 miles of border line altogether. For some time we have to keep somebody there protecting that border line. We are trying to do it now with some troops, and evidently contemplate the possibility or the probability of sending the National Guard down to patrol the border, and yet one flying machine could do more good locating an enemy which was liable to come upon the border in the patrolling of the border than a whole regiment of men, and it would be no difficult matter to patrol the border with some flying machines with bases at various places, so that they could keep any troops that might be located down there informed as to whether there were any marauding bandits traveling around in the northern part of Mexico with a view of coming across the line into our country.

A flying-machine squadron, I believe, is supposed—I am not sure I have the right term—to keep 12 flying machines in the air. That means that they must have from 18 to 25 machines, because some of them will always be out of repair. It takes a large equipment to handle a squadron of flying machines. I do not mean a large personnel, but a large equipment—trucks, repair shops, and various things of that sort. I am informed, upon what I think is fairly reliable information, that it will cost about \$800,000 to provide and maintain for a year a squadron designed to permit the use of 12 flying machines at a time. That is not a very large number to be in active service. We have now, I believe, under recent appropriations purchased in the neighborhood of 20 to 25 machines. We have purchased a dozen very recently. They are having some trouble with the machines down there, which they anticipate they will soon overcome, owing to the rarity of the air in that very hot climate over the sands of Mexico. I think that we ought to provide this arm of the service. It is the most economical expenditure of money that can be made for the Army.

A flying machine, if effective at all, is of more value for what it costs than anything else we could provide in the way of arming the service. We increased appropriations of various kinds quite materially, and, I think, we can well afford to expend nearly at least as much for flying machines for the Army as we have already provided for the Navy, and we provided \$3,500,000 for the Navy by the bill which passed the House. I proposed an amendment which will provide \$3,222,000 for the Army, and a wiser expenditure of money, in my judgment, can not be made at this time.

Mr. HAY. Mr. Chairman, the amount carried in the bill for air machines is exactly the estimate asked for by the Secretary of War in a personal hearing before the committee. Probably there was a cut of \$10,000, but that was done for the purpose of having an even sum.

The Committee on Appropriations appropriated \$600,000 a few months ago for the purpose of buying air machines, which, together with the \$1,222,000 appropriated here, makes \$1,822,000 for the purchase and upkeep of these air machines for the coming fiscal year. Our information about this matter was, coming directly from the Secretary of War, who had made a special study of this, that this was all that they could use to advantage.

It must be remembered that you have to have the men to fly these machines. There is no use in manufacturing a lot of machines you can not use. We have not the men who have been educated to use them, and therefore to add \$2,000,000 to this appropriation to purchase a lot more machines which can not be used seems to me to be unwise. I do not not see that we will be accomplishing anything. I do not see that we would be making any stronger preparation for the country by laying up a lot of these machines which, after all, might be useless a year from now. By that time we might discover a better aviation motor than we have now, and to buy a lot of these machines.



which we might have to throw away and not use at all, seems to me to be poor economy; and as the Secretary of War asked for this amount and went into the matter very fully and came to the conclusion that that was all that was needed, I do not think we ought to increase it. Now, this amount of money will buy nearly 100 machines. They cost about \$10,000 apiece.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. HAY. I will.

Mr. HAMILTON of Michigan. Some time ago the chairman of the Committee on Appropriations, in a discussion here on the floor of the House, stated, as I remember it, that the motors used in the aeroplanes were made abroad. Where are we now getting our motors?

Mr. HAY. We are getting them here now; I do not think we are getting any from abroad.

Mr. HAMILTON of Michigan. What is the power of these machines we are getting now?

Mr. HAY. The gentleman from Illinois has just stated—160 horsepower.

Mr. HAMILTON of Michigan. I did not hear the gentleman's statement. I understand these machines are now being made in this country?

Mr. HAY. Yes; and, as the gentleman stated, 160 horsepower is not sufficient for war machines. The power used abroad, he stated, was 300 horsepower, and we are making appropriations here for the purpose of developing a better aviation motor.

Mr. HAMILTON of Michigan. These machines will be strong enough, however, to carry in the rarefied atmosphere of the Southwest, in case they are needed?

Mr. HAY. I understand the machines we have had down there have not done very well.

Mr. HAMILTON of Michigan. Yes; but those machines to be constructed now, I assume, will be stronger machines.

Mr. HAY. I assume so. I take it for granted they are constructing the best they can with the information and the material they have and with the engine they have.

Mr. HAMILTON of Michigan. Well, but we have the information that is picked up out of the experience that other nations are having. We tried to get that, certainly.

Mr. HAY. No; we have not been able to get from our observers abroad any information whatever as to the manufacture of the air machines abroad.

Mr. HAMILTON of Michigan. But we know we need stronger engines than we have.

Mr. HAY. Yes; we need stronger motors, and the reason for applying \$50,000 of this appropriation to the purpose of developing a stronger motor is that we may get, if we can, a motor to equal those that are used in the machines abroad.

Mr. HAMILTON of Michigan. I understand that of the eight machines which we sent down to Mexico six were scrapped as practically useless.

Mr. HAY. Of course we have sent others down there since. We have bought some out of this \$600,000 appropriation.

Mr. HAMILTON of Michigan. But it would seem that we ought to have learned something by this time.

Mr. COX. The statement which the gentleman has made that we have not been able to get any information through our observers abroad is a very interesting one. Why can we not get that information through our attachés?

Mr. HAY. Because the foreign powers guard those secrets.

Mr. COX. They will not let us have the information?

Mr. HAY. They will not let us have the information.

Mr. COX. Then we had better recall our foreign attachés.

Mr. HAY. Oh, we get some information, but they will not let us have the secret of the manufacture of these machines.

Mr. COX. Does the gentleman think the time will ever come when they will?

Mr. HAY. After the war is over I suppose they will let us have it.

Mr. FARR. How many air machines have we in the Army?

Mr. HAY. We have had 59 machines in the Army altogether. I do not think there are more than 15 effective machines now.

Mr. FARR. How long can they remain in the air?

Mr. HAY. I am not advised as to that.

Mr. FARR. Before the Naval Committee the statement was made that we had but 9 machines, and that none of them could remain in the air longer than four hours at a time.

Mr. HAY. I do not know about that. I stated that the cost of these machines was \$10,000 apiece. I see that the Secretary of War states that they cost \$12,500 apiece; that is, the best type of these machines.

Mr. FARR. Of what horsepower?

Mr. HAY. The horsepower is not named, but I presume it is the strongest horsepower we have.

Mr. MANN. One hundred and fifty horsepower.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HAY. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HAY. The gentleman from Illinois [Mr. MANN] was speaking of the cost of a squadron. The Secretary of War states that the cost of a squadron, which is composed of 12 aeroplanes, is \$233,400. That is the cost of one squadron.

Mr. MANN. I have better information than the Secretary has.

Mr. HAY. I can only state that this information was given by the Secretary of War after he had given a very careful study to this particular subject, and I rather think he knew what he was talking about when he appeared before the committee. That certainly was the impression made upon the committee. So that when we are appropriating \$1,222,000, we are appropriating for very nearly six of these squadrons. As I said a moment ago, you have not people who know how to run the air machines, and therefore it seemed to be useless to add \$2,000,000 to this appropriation, when we will not be able to use the machines after we get them. In the next year we hope to educate a great many more men. We have provided in the Army reorganization bill for the employment of civilian fliers in the Army, and we hope to get a number of men who will be able to fly these machines. Then it will be time enough to appropriate a larger sum, if at that time it shall be considered necessary to buy more machines.

Mr. GORDON. Will the gentleman yield?

Mr. HAY. Yes.

Mr. GORDON. It also appeared in evidence before the committee that they had not yet developed a type of motor that was satisfactory.

Mr. HAY. That was stated a moment ago.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. HAY. Yes.

Mr. HULBERT. Can the gentleman inform me when the Secretary of War made the statement that the sum of \$1,222,100 would answer for the immediate purposes?

Mr. HAY. He made that statement on the 8th day of April, 1916.

Mr. HULBERT. How many aviation schools have we under the jurisdiction of the United States Army at the present time?

Mr. HAY. I think we have one in California, at San Diego, one at Fort Sam Houston, and one, possibly, at some point in Georgia, although I am not certain about that.

Mr. HULBERT. How many students are they able to accommodate within the time required for the period of instruction?

Mr. HAY. They can accommodate all that are provided for, I suppose.

Mr. HULBERT. In other words, do I understand the gentleman correctly that we are able, in the schools that we have, to educate a sufficient number of aviators for the number of machines that we have at the present time?

Mr. HAY. Yes; if they will volunteer for the service. You see, this is a volunteer service. You can not, except in time of war, detail men to go into the aviation section of the Army.

Mr. HULBERT. Unless they are willing to go?

Mr. HAY. Yes.

Mr. HULBERT. I have had several cases of men who wished to go into the aviation section, and I have not been able to get the department to accept them.

Mr. HAY. Do you mean civilians?

Mr. HULBERT. I mean men in the service who want to get into the aviation section, and the department were unwilling to take them because they said they did not have the machines with which to supply them. In other words, it has been the absence of machines that has prevented men who were willing from being transferred to the Aviation Service.

Mr. HAY. That is not my information. They have had machines with which they could instruct them. This appropriation will provide amply for all that, and more besides. I hope the amendment will not be agreed to.

Mr. MANN. Mr. Chairman, it is an interesting circumstance that the House of Representatives put flying machines into the Army, in the first place, without any request from the Secretary of War. Of course we are always told we ought to follow the advice of the experts, and that the Secretary of War is the expert. Just think of it, now! Only a few years ago the War Department refused to make an estimate for flying machines in the Army. They wanted the money for something else. It was not considered important enough. This House took a dif-



ferent view. It was this House that put aviation into the Army, without any request from the Secretary of War. I have forgotten who the Secretary of War was at that time. He was a very good gentleman.

Mr. COX. And a Republican.

Mr. MANN. He was a very bright man, as is the present Secretary of War. But the present Secretary of War has not had time to learn all about flying machines. He has not been there long enough. What the Signal Service asked for this year, when they made up their estimates, was nearly \$4,000,000. I could give the exact figures, but perhaps that is not advisable. I do not want to indicate how I got them or where I got them. That does not make any difference.

Mr. HAY. The gentleman could have got them in the hearings.

Mr. MANN. I did not. Did the hearings show that that was what they asked for?

Mr. HAY. The hearing on the Army organization bill does that.

Mr. MANN. Very well. The gentleman said that the estimate was what they granted.

Mr. HAY. I said the Secretary of War appeared before the committee and said that this amount of money was what was needed for the aviation section this year.

Mr. MANN. And the Secretary of War also stated that a squadron could be provided or maintained, or both, and I am not sure which the gentleman said, for \$233,000. I do not know whether the gentleman said "provided or maintained" or "provided and maintained." You can purchase 12 flying machines for \$12,000 apiece. My information is that they have just made that purchase; but that is only the beginning of a squadron. A squadron is designed to be able to keep 12 machines in the air at one time, and it requires the control of 50 or 60 per cent more in machines. That is, to begin with in machines. But when you have the machines you have only commenced the expense. A flying machine wears out quicker than any other machine in the world. The estimate in Europe to-day is that a flying machine in service is replaced during the course of a year four times in every part of it. You must have your motor trucks to handle the machines, you must have your houses to keep them in, you must have your repair shops in which constantly to repair them.

When you purchase the flying machine, to begin with, you have to purchase enough parts to help take care of it, and there are more parts that come with it than constitute one machine. My statement is correct that the estimate in the War Department to-day to provide and maintain a squadron of flying machines will be \$800,000, and that allows only \$200,000 for the machines. The estimate is that the maintenance and repair and replacing amounts to \$600,000 a year for a squadron. I have the latest figures on the subject. Of course they are estimates.

Mr. HAY. I would like to read to the gentleman just what the Secretary said on this subject:

The intention is to have 2 squadrons of 12 machines with 50 per cent of spare parts, and the machines are estimated at \$12,000 each, including the spare parts. Then there is an estimate to be added, in addition, for certain trucks, motorcycles, supply trucks, tank trucks, carrier trucks, machine-shop trucks, making up the entire equipment of an aero squadron, with 12 aeroplanes, and all the attendant and accessory trucks and parts. The total cost of one squadron being \$233,400.

Mr. MANN. That is the purchase to begin with.

Mr. HAY. That includes the spare parts.

Mr. MANN. That is the purchase to begin with. That is what they pay for the purchase of the machines.

[The time of Mr. MANN having expired, he was granted five minutes more.]

Mr. MANN. I have only allowed \$200,000 for that, but the Secretary says \$233,000. The maintenance per year amounts to \$800,000.

The gentleman from Virginia says we have nobody to operate flying machines. Well, we have been a little slow in teaching men to fly machines. We have not had the machines to fly, and there is no way on earth that a bird can learn to fly unless it has wings; there is no way that a man can learn to fly until he has the apparatus. We have not had it. We all know, and the gentleman knows, that the condition of the aviation section of the Army has been deplorable. It has all been reorganized, I am informed. We did start out with the theory that it took a man a year or two years' time in which to learn to fly a machine. England is teaching her flyers in three months' time to be able to go to the front and fly any kind of a flying machine.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. MANN. Yes.

Mr. HAMILTON of Michigan. Down here at Newport News they have a school called the Curtiss Flying School. Has the

gentleman investigated that, so as to know how long it takes a man to learn to fly there?

Mr. MANN. I do not know anything about it.

Mr. HAMILTON of Michigan. I do not think it takes him very long under their system.

Mr. MANN. I have forgotten how long Art Smith, the greatest flier the world ever produced, told me it took him, but it was not long. England teaches her men in three months, because she has the machines. We can not teach them without the machines. There is no trouble about teaching men to fly if you have the machines. There is no trouble in making use of the machines and no doubt about the value that they would be to us along the Mexican border if we had them. It is not such a large amount of money compared with the total appropriations that we make. I hope we can appropriate this additional \$2,000,000 for aviation in the Army, where it will be of great use to us during the next fiscal year as well as for the years to follow. [Applause.]

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. MANN) there were 52 ayes and 60 noes.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The Chair appointed as tellers the gentleman from Illinois [Mr. MANN] and the gentleman from Virginia [Mr. HAY].

The committee again divided; and the tellers reported—ayes 81, noes 77.

So the amendment was agreed to.

Mr. HULBERT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. HULBERT: On page 7, line 6, strike out "\$3,775,000" and also all of lines 7 to 20, inclusive, and insert "\$14,552,900: Provided, however, That not more than \$5,000,000 thereof shall be utilized to establish and operate 10 Army aviation schools, in locations to be determined by the Secretary of War, to train aviators from the Regular Army and militia and civilian volunteers as reserves.

"Not more than \$5,000,000 thereof shall be utilized for the organization, equipment, and operation of four aero squadrons, each squadron to consist of 12 aviators, who shall be allowed 3 aeroplanes each; and so much of the balance remaining from this \$5,000,000 after providing for the four aviation squadrons shall be, at the discretion of the Secretary of War, devoted to providing aeroplanes and aeronautical equipment for the State National Guards.

"Not more than \$2,000,000 thereof shall be utilized for the acquisition and operation of dirigibles and kites or observation balloons.

"Not more than \$2,000,000 thereof shall be utilized for the acquisition or rental of suitable aviation fields and for providing the buildings necessary for permanent aviation schools."

Mr. HAY. Mr. Chairman, I make a point of order on the amendment that it is new legislation.

The CHAIRMAN. Does the gentleman from New York desire to be heard upon the point of order?

Mr. HAY. This provides for the acquisition of land, and it is clearly subject to the point of order.

Mr. HULBERT. Mr. Chairman, I submit there is no provision in the amendment respecting the acquisition of land. It does provide for the inauguration of 10 schools, but I believe that the Government has already land on which these schools can be established. It has been stated by the chairman of the committee that we have three schools at the present time. There are certain Army reservations throughout the United States owned by the Government, controlled by the Government, upon which seven additional schools may be established by the committee. I do not think that point of order is well taken.

The CHAIRMAN. The concluding sentence is that it shall provide for the acquisition of land. The point of order is sustained.

Mr. HULBERT. Then, Mr. Chairman, I reoffer the amendment with the last sentence stricken out.

Mr. HAY. I make the point of order that it provides for the organization of four schools. I do not know under what law they can organize schools. That is legislation, and it is clearly subject to the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HULBERT. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. HULBERT: On page 7, line 6, strike out "\$3,775,000" and also all of lines 7 to 20, inclusive, and insert "\$8,000,000: Provided, however, That not more than \$5,000,000 thereof shall be utilized for the organization, equipment, and operation of four aero squadrons, each squadron to consist of 12 aviators, who shall be allowed three aeroplanes each, and so much of the balance remaining from this \$5,000,000 after providing for the four aviation squadrons shall be, at the discretion of the Secretary of War, devoted to providing aeroplanes and aeronautical equipment for the State National Guards."

Mr. HAY. Mr. Chairman, I make the point of order that this changes existing law. The Army organization bill recently



passed provided what the organization of aero squadrons should be, and it proposes to change the existing law.

The CHAIRMAN. Does the gentleman from New York desire to be heard upon the point of order?

Mr. HULBERT. Mr. Chairman, will the gentleman from Virginia reserve the point of order for a moment?

Mr. HAY. Yes. If the gentleman does not desire to be heard upon the point of order, I will say to him that I will now take a vote upon the amendment.

Mr. HULBERT. But I desire to be heard upon the point of order.

Mr. HAY. Mr. Chairman, I reserve the point of order.

Mr. HULBERT. Mr. Chairman, I had this amendment ready for submission when the gentleman from Illinois [Mr. MANN], who received prior recognition, submitted the amendment which has just passed the House, and I happen to be one of the few Democrats on this side of the House who voted for it. I felt after the amendment offered by him had been read that this proposed amendment, which I have submitted, met the very point urged and contended for by the chairman of the committee, namely, that the chief objection to the amendment of the gentleman from Illinois was that it was a useless and wasteful expenditure of the public funds to provide money for the purchase of aeroplanes when they did not have facilities to educate men to operate them; and I did not anticipate that there would be that objection, at least, to the feature of the amendment offered by the gentleman from Virginia [Mr. HAY], particularly in view of the fact that a majority of this House has decided that we do need the airships, and if, as he contends, we are now faced with a condition where we have the airships and have not the facilities and conveniences to educate the men, then we ought to look the situation squarely in the face and provide now for the schools in order to educate the men to make use of the airships which this House has already voted should be purchased.

Mr. Chairman, when we remember the fact that it was an American who invented the steamship, and yet that it remained for us to adopt a policy of watchful waiting until other nations had demonstrated its practicability in gaining the supremacy of the seas before we brought into this House and enacted only a few weeks ago the shipping bill, looking to the upbuilding and restoration of a merchant marine, which had fallen away until we found ourselves among the lowest of the maritime nations on earth; when we consider that it was an American citizen who invented the submarine, while we have stood silently by and watched and waited for the nations of Europe now in the throes of armed conflict to demonstrate its utility; when we remember that it was an American who invented the airship, and that we are now taking lessons in its development and its demonstration from the nations of the Old World, it seems high time to me that at least as to this last great achievement, given to science, as I have said, by an American, we ought to be the first to appreciate our heritage and take it up in a serious manner and endeavor to demonstrate to the people of the world that we are not ungrateful to our citizens, who sacrifice their time and talent in order that they may place at the disposal of their Government these great products of scientific research. I predict that the aeroplane will in the future be the real means for the defense of our country. Those of you who live in the central and far West need not fear the assaults that may be made upon the Atlantic or the Pacific coast by the battleships, battle cruisers, or other vessels of war of the enemy navies that we may have to meet; and those of you who live far removed from the coast need not fear the destructive effects of the 43-centimeter guns, if they shall ever be landed upon our shores; but if we are locked in armed conflict with our sister Republic on the south, and you do not provide the means to educate the men and equip them in order to protect us against invasion through the air over our border, the people of your communities will live to regret the day when you failed to give them the modern means of defending themselves from an affliction worse than the people of your locality have ever been terrorized with when your country has been ravaged by tornadoes and other similar calamities. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAY. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HULBERT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 6, page 7, strike out "\$3,775,000" and insert in lieu thereof "\$8,775,000," and in line 7, strike out "\$3,222,100" and insert in place thereof "\$7,222,100."

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Provided further, That hereafter whenever contracts which are not to be performed within 60 days are made on behalf of the Government by

the Chief Signal Officer, or by officers of the Signal Corps authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Chief Signal Officer.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. There have been occasions when we have given permit I believe, in regard to the execution of contracts.

Mr. HAY. That has been done with all the different departments of the War Department, I believe, except the Signal Corps. There may be one other.

Mr. MANN. I did not examine to see whether this was the form of language used in the other cases or not.

Mr. HAY. They are all in the same form.

Mr. MANN. If it is in the same form I have no objection, because I went over the matter very carefully the first time. Of course, this is designed to let them execute a contract below \$500 without signing it, as I understand it. It does not change the law as to contracts over \$500?

Mr. HAY. No; it does not.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Purchase of land in the State of California for aviation school purposes: For the acquisition, by purchase or by condemnation, of a site or sites in the State of California for an aviation school and training grounds of the Signal Corps of the United States Army, not to exceed \$300,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Is this for the purpose of purchasing that land which is in the bay of San Diego, where the aviation school is?

Mr. HAY. Yes.

Mr. MANN. What is the need of purchasing it?

Mr. HAY. Why, because they are using it now, and the owners have notified the Government that they will not permit the use of their land for that purpose any longer.

Mr. MANN. We have been using it without any expense—we pay no rental for it?

Mr. HAY. No.

Mr. MANN. I do not know what the owners could do with it.

Mr. HAY. They say—

Mr. MANN. I just wondered whether it was pure bluff. There is nothing the owners can do with it; there is no use they can make of it. You could not rent it for a dollar a year, I believe.

Mr. HAY. I do not know.

Mr. MANN. It may be valuable sometime. It is not worthless land; but it is valueless as far as any present use is concerned; but, of course, it is valuable to the Government to have the school there, and if we can not get it any other way we may have to buy it.

Mr. BORLAND. I desire to suggest to the gentleman from Illinois, with his permission, that it is impossible for the Government to put up any permanent structures there now.

Mr. MANN. Undoubtedly.

Mr. BORLAND. The gentleman knows we have only some temporary sheds, because we do not own the land and are tenants on sufferance.

Mr. MANN. I understand.

Mr. BORLAND. These temporary sheds are utterly inadequate, and if it is intended to have a permanent station there we ought to have the land.

Mr. MANN. I suppose that is true, but I do not know. This aviation school was located at this place because the Government could get the use of the land for nothing.

Mr. HAY. Well, I think—

Mr. MANN (continuing). Well, I had supposed, to be perfectly frank with the gentleman, that the Government owned a great deal of land in the West and Southwest which was just as acceptable and could be used for an aviation school as this little piece of land in the bay of San Diego, which other land the Government now owns and it would not have to buy it and that if it were confronted with the situation where it could no longer get this land for nothing at San Diego, it could go on its own land in New Mexico, Arizona, or some other places, California or elsewhere, and possibly it might be cheaper to take a new field. The Government could move off this piece of land just as easy as a transient can move out of a hotel. There is nothing of much consequence there.

Mr. HAY. I will say to the gentleman that if there is a controlling reason for having it at San Diego it is on account of the currents of air through the combination of land and water which they need for the instruction of these people who learn to fly, and that is the reason why they want it there.

Mr. MANN. That is merely buncombe.

Mr. HAY. That may be, I do not know.



Mr. MANN. They learn better to fly in England than in America. Nobody would pretend for a moment that the atmospheric conditions anywhere in England are as good as they are in Washington. They are much more stable at San Diego than anywhere else throughout this section of the country, but they could learn to fly anywhere they got a chance.

Mr. HAY. If that is the case, I think the gentleman really ought to make the point of order.

Mr. MANN. Really I think myself I ought to do so, but I am not going to do so.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

PAY OF OFFICERS OF THE LINE.

For pay of officers of the line, \$10,000,000: *Provided*, That the act to provide for recognizing the services of certain officers of the Army, Navy, and Public Health Service for their services in connection with the construction of the Panama Canal, to extend to certain of such officers the thanks of Congress, and for other purposes, approved March 4, 1915, be amended by striking out entirely the last proviso in section 5 in so far as the same applies to the officers mentioned in section of said act.

Mr. BORLAND rose.

Mr. MANN. I reserve a point of order on that paragraph, unless the gentleman from Missouri is going to.

Mr. BORLAND. I was going to.

Mr. MANN. I will yield to the gentleman from Missouri.

Mr. DENT. Of course the paragraph is subject to a point of order. There is no question about that.

Mr. MANN. Of course it is.

Mr. DENT. The object of it, however, was simply to correct a construction that has been placed on the Panama Canal act by the War Department. For instance, to state the case in a concrete form, Maj. Gen. Goethals may have been a major general for 10 years, and some young man, some officer who was graduated from West Point one year ahead of Maj. Goethals, may hereafter be appointed a major general, and he would outrank Maj. Gen. Goethals.

Mr. MANN. You would not say "some young man." They do not appoint young men major generals.

Mr. DENT. I mean some cadet who as a young man was graduated from West Point one year ahead of Maj. Gen. Goethals.

Mr. MANN. The gentleman says that that is the construction of the War Department.

Mr. DENT. Yes.

Mr. MANN. Is not that the exact provision of the law?

Mr. DENT. That was the construction put upon it by the War Department, and I think it is correct, but I do not think that that was the intention of Congress.

Mr. MANN. Certainly; that was exactly what was intended. Here was the situation: We intended originally to do something for Col. Goethals and for Dr. Gorgas, in recognition of something they had done in time of peace, which legislative bodies usually do at times for some who have done great things in time of war. Then the rest of the commission desired to be taken care of, or their friends desired that they should be, and they were included. Then the gentlemen from the Army who had been given work at Panama thought they ought to be included. Everybody was given a promotion. But giving special promotions in the Army and the Navy ordinarily is unfair to the men who are jumped over. So this act provided that where promotions were made they should be carried as extra numbers in the grade. That was for the purpose of taking care of those who otherwise would lose promotion. Then it also provided that where a man received a promotion, from colonel to brigadier general, say, jumping over somebody else, the other man so appointed a brigadier general should take priority over the man who jumped over him. In other words, we gave the title and extra pay to a man for a time because he was at Panama, but we did not intend for all time to make him jump over everybody else who ranked him, and I do not think we ought to do so. Now, that was clearly understood when we passed the bill.

Mr. DENT. It may have been so understood by the gentleman from Illinois. It was not so understood by me.

Mr. MANN. It was so understood by everybody who read the bill.

Mr. DENT. I confess I overlooked that feature of it at the time, and I think other gentlemen interested in it overlooked it. But the sole proposition is simply whether or not it is fair for a man to serve as a major general or brigadier general for 10 years and then for some officer who happened to have been graduated a year or two ahead of him to be appointed a major general or a brigadier general and then outrank him.

Mr. MANN. After all, these gentlemen then desired to get the promotion. Every one of them was in favor of the passage of

the bill. Now that they have got the promotion they do not feel quite so anxious about getting it. They have already got it. Then they were willing to concede that the men who were ranking them had done good service elsewhere and that the men remaining behind were not expected to be kept behind those who went to Panama. But as soon as they get the promotion, hogishly they want more. I think the most of them got more than they were entitled to. There was no reason on earth why we should have given all of these people promotions.

But that is not all. I think the distinguished committee which reported that bill have now reported a bill to repeal that section. If they have not reported it, the distinguished gentleman from Georgia [Mr. ADAMSON] has introduced a bill repealing it.

Mr. ADAMSON. And the committee have reported it, too.

Mr. MANN. Now they want more promotions.

Mr. ADAMSON. Mr. Chairman, I have listened with great interest to the able remarks of my distinguished friend from Illinois [Mr. MANN]. He may be correct in all he has said. If so, my recollection is at fault in some particulars. I have sent for the original bill as the House passed it, in order to see who is right. In the first place, the gentleman is mistaken, so far as it comes within my knowledge, in stating that those officers we sought to favor asked for exceptional recognition. I think, first and last, I conversed with every single one of the five distinguished engineers who put through that great enterprise, the Panama Canal. Every one of them—Col. Goethals and all of them—said they did not deserve anything in the way of extra pay or honor, and did not ask anything. There was an effort to reward Col. Goethals alone. Col. Goethals repeatedly said to me that he did not want it done; that if anything was done at all he wanted all the five engineers to share in the honor; that he did not ask it at all, and none of them did.

I introduced a bill extending the thanks of Congress to those gentlemen, which really was the most valuable thing; but after conferring with my distinguished friend from Alabama [Mr. DENT] I put in the other proposition to promote the five engineers. The War Department worked on that bill and suggested amendments, and it was put in proper shape and passed this House, not with the proviso in it that we are now offering to repeal, but with an entirely contradictory proviso, that this action should not interfere with their promotion in due course. Here is the exact language of the proviso:

*Provided*, That no officer now belonging to said corps or said department shall be deprived of or prejudiced in his regular promotion.

After we passed that bill with that proviso it went to the other body at the other end of the Capitol, and then I do not know what influences prevailed, or who asked for anything, but 25 or 30 other people—inferior officers in the Army and officers of the Health Service, who were not engineers and had not constructed the canal and were not entitled to the great and distinguished consideration which we were trying to afford to these immortal five engineers—went to the body at the other end of the Capitol, and that body incorporated all these other people and gave them certain promotion, but not the thanks of Congress.

Then following that amendment they put in this proviso that we are trying to repeal that these inferior officers and the officers of the Health Service should not be promoted until the thing had passed around to everybody else. Such proviso is as follows:

*And provided further*, That the officers advanced to higher grades under this act shall be junior to the officers who now rank them under existing law when these officers have reached the same grade.

But as it connected up with the entire bill which came back here in the throes of dissolution of the last Congress, when there was not a quorum here, and when we did everything that was done for 24 hours by unanimous consent, Brother DENT and I did not have time to study all the intricacies of the situation, and we could not imagine that the body at the other end of the Capitol had done such a foolish thing, and we concurred in that amendment. We made a monumental mistake when we did it. It would have been better to kill the legislation, and wait and offer it now. But the act is now construed to mean, in contradiction to the proviso which we originally put in, that it should not interfere with the promotion of these five engineers, that this proviso put in by the body at the other end of the Capitol means that these engineers can not be promoted until everybody else has had a chance.

We want to repeal that in this bill. That is for the purpose of repealing the proviso put on at the other end of the Capitol. These five engineers ought not to be impeded in orderly promotion. It is true, as stated by the gentleman from Illinois [Mr. MANN], that I did introduce a bill to repeal a part of that act, and it is further true that I have reported it to this House. The reason of it is this: As soon as it appeared that the body at the



other end of the Capitol had extended the benefits of this act until it made recognition so common that recognition was of no distinction and no value and that the loaves and fishes were all that could be seen in the act extended by a beneficent Government to reward these great engineers for the services they had performed, all the inferior naval and Army officers and all the civilians pitched in and said that they must have recognition as well as the others; and so they pitched in and raided Congress with a lobby to force recognition of other things and other people, and I introduced a bill to repeal that part of the act that was put on by the amendment at the other end of the Capitol. It ought never to have been accepted by the House. The proper thing to do is not to commit a second wrong because we had committed the first wrong. The proper thing to do is to correct the first wrong. I do not think that there is any doubt but that the repeal ought to be made in accordance with the intention of the House of Representatives when it passed the original bill.

The CHAIRMAN. Does the gentleman from Illinois insist on the point of order?

Mr. MANN. I make the point of order.

The CHAIRMAN. Does the gentleman from Alabama want to be heard?

Mr. DENT. No, Mr. Chairman; I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

#### PAY OF ENLISTED MEN.

For pay of enlisted men of all grades, including recruits, \$23,000,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 9, line 19, after the word "recruits," insert the words "the pay of any enlisted man to be not less than \$20 per month."

Mr. HAY. To that, Mr. Chairman, I make the point of order.

Mr. MOORE of Pennsylvania. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. GARDNER. Mr. Chairman, I move to strike out the last word. I do not offer any amendment to increase the amount provided in this bill for the pay of enlisted men of all grades because we are helpless. We can not consider an amendment to increase the pay of the soldiers, because such an amendment is out of order under our rules. We can not offer an amendment to increase the number of enlisted men in the Army, because that amendment is also out of order, inasmuch as the number is already fixed by law. On page 52 of the hearings you will find where the trouble lies. The estimates of the War Department for pay of enlisted men of all grades during the fiscal year ending June 30, 1917, is \$23,945,995.31. In other words, the gentleman from Virginia has come within a million dollars of appropriating all that the War Department asked for.

Now, how does the misunderstanding arise? Why is it that we have the idea and that we read in the newspapers that we are going to have an Army with a peace strength of 208,000 men? It is because people will not read the law that we passed. Section 2 of the Hay-Chamberlain Act provides that we can not have more than 175,000 enlisted men of the line in our Army except in a time of emergency or war. It is true that without further legislation, in case of war, we can expand our enlisted force to over 225,000 combatants, but we have to enlist and train the recruits when it is too late. Heretofore the number of enlisted men of the line was limited by law to 100,000 men. The Hay-Chamberlain Act raises that limit to 175,000, but requires that the increase be attained in five annual installments. There is the misunderstanding. Unless war is upon us we are not permitted by law to have an Army any greater than 120,000 enlisted men of the line at the outside prior to the 1st of July, 1917, 13 months away. The next year after that we shall add about 15,000 more, and so on, unless we have war or unless the law is changed.

There is the colored gentleman in the woodpile. We talk about an Army of 208,000 enlisted men, peace strength. In five years, if we can enlist them, we shall have that number of enlisted men, but only 175,000 combatants. Quartermasters' employees, hospital attendants, staff departments, unassigned recruits, and so forth, account for the rest. I have tried to get a statement from the War Department as to the legal strength of the Army in 1917, but the matter is still confused, as this letter from Gen. McCain shows:

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,  
Washington, June 7, 1916.

Hon. A. P. GARDNER,  
House of Representatives.

MY DEAR MR. GARDNER: In response to your letter of the 30th ultimo, in which you request information as to the authorized enlisted strength

of the line of the Army on August 1, 1914, and the enlisted strength of the line as it will be after the first and second increments are made under the provisions of the act of June 3, 1916, I beg leave to advise you as follows:

The authorized enlisted strength of the line of the Army on August 1, 1914, was 75,341.

In view of the fact that no conclusion has been reached by the department as to the number of men to be included in each annual increment under the provisions of the act of June 3, 1916, I am unable to furnish you with an accurate estimate of the strength of the line during the fiscal years 1917 and 1918. There is some question as to the proper basis upon which to compute the increases authorized in the recent act. The act of February 2, 1901, provides for a minimum and maximum strength for line organizations, with a provision that the line of the Army, including the Philippine Scouts, shall not exceed 100,000, while the recent act provides that, except in case of emergency, the line, excluding the Philippine Scouts and unassigned recruits, shall not exceed 175,000.

In the former act the unassigned recruits were included in the line. There is some doubt, therefore, as to the exact strength of the line organizations under the provisions of the act of February 2, 1901, whether it is the maximum strength, the 100,000 minus the Philippine Scouts, or the strength as authorized by Executive order prior to the passage of the resolution of March 17.

Should it be determined that the organizations of the line is to be maintained at their statutory minimum strength, and if the strength of the line as authorized by Executive order prior to the passage of the resolution of March 17 is used as a base upon which to estimate the increases provided in the recent act, the strength of the line during the fiscal year ended June 30, 1917, would be approximately 99,000, and during the fiscal year 1918 that strength would be approximately 125,000. These figures do not include unassigned recruits, heretofore included in the line.

These figures are not to be accepted as a determination by the department as the strength of the line during the fiscal years 1917 and 1918, as that strength has not yet been fixed by the department for either of the years mentioned.

Regretting that I am unable to furnish you with definite information at this time, I am,

Very truly, yours,

H. P. MCCAIN,  
The Adjutant General.

Everyone admits that at the outside until after July 1, 1917, the Army can not consist of over 120,000 men of the line.

Mr. TOWNER. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. TOWNER. The gentleman recollects that the chairman said this morning that \$23,000,000 would only provide for 105,000 men?

Mr. GARDNER. That is correct.

Mr. TOWNER. And so that would leave no appropriation for the 15,000 men.

Mr. GARDNER. I do not think that the estimate of 120,000 corresponds very closely with the estimate of the War Department.

The department estimates the enlisted combatant strength for the fiscal year ending July 1, 1917, at 106,378 men. The question hinges on the interpretation of the law. (See hearings, p. 11.)

Mr. TOWNER. According to their own statement there is no appropriation for the 15,000 additional men.

Mr. GARDNER. I have just called attention to Gen. McCain's letter.

Mr. TOWNER. But my point is this: That even according to the estimate made by the gentlemen on the other side, 120,000 men, they make no appropriation for the additional 15,000 men.

Mr. GARDNER. That is perfectly true. Now, Mr. Chairman, how did the impression get abroad that we were to have 208,000 enlisted fighting men in the Army just as quickly as we could enlist them? Who is responsible?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GARDNER. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. GARDNER. The way that came about was this: The figures started with 175,000 enlisted men of the line. That is the limit under the Hay-Chamberlain Act. To that they added all of the quartermaster's employees and all of the hospital stewards. To that they add the unassigned recruits, and in some of the tables they added officers. Next they assumed that just because we have voted to increase the Army prior to July 1, 1921, to a maximum peace strength of 175,000 men of the line, that therefore we are justified in speaking of that Army as if it were already in existence.

One word now about the pay of the Army. I discussed the question of the pay of the enlisted men of the Army, and I offered amendments to increase it when the Hay-Chamberlain Act was under consideration in this House. I desire at this time to express my belief as to the cause of the reluctance of American boys to enlist in the Army. It is not altogether a question of pay. By the way, the Canadian Army is paying



\$33 a month to each one of its soldiers who enlist in the overseas force. In addition the Government allows \$20 to the wife who stays behind. Just think of the difference between the situation of the Canadian soldier with a wife getting a separate allowance, altogether the family getting \$53 a month, and the situation of a militiaman called out for service on the border or in Mexico.

Mr. STAFFORD. Has that been his pay only since the European war began?

Mr. GARDNER. Yes.

Mr. STAFFORD. What was the pay of the soldier prior to that?

Mr. GARDNER. Fifty cents a day for a private, the same as ours. I do not know the peace arrangements of the Australian Army, but a private in the Australian Army to-day is paid \$1.50 a day and his wife gets a daily allowance less than the Canadian allowance, I think 35 cents a day, which counts up to a little over \$10 a month. The Canadian Army is what I know most about, and I do not know anything about their pension system. Young fellows going into the Army do not think very much about the pension system. A young man going into the Canadian Army to-day says, "How much will I get and how much will my wife get?"

Mr. STAFFORD. I believe under the Canadian law, since the war began, they also have a pensionable status, at all events for widows.

Mr. GARDNER. And I think for disability and long service, as well. There are four reasons why men do not enlist, in my opinion. In the first place, there is the limited opportunity which enlistment affords for promotion to commissioned rank. We have very much improved in that respect, but even if we go to the utmost that I or anyone else would recommend, we shall still be confronted by the fact that any man to become an officer must be made to pass a pretty stiff examination.

Only a small proportion of men in the Army can do so. I believe that we can add to the enlisted man's horizon, but it will be a relatively small number of additional recruits which we shall get. That is reason No. 1. Reason No. 2 is because we entirely underpay our enlisted men. The evidence of a number of the younger officers who testified before the committee and the views of the recruiting officers convince me that enlistments will undoubtedly increase if we increase the pay. The third reason for the scarcity of recruits arises from the fact that a young man is reluctant to mortgage his future for a long period of years. The Hay-Chamberlain Act marks an advance in dealing with that situation; but, nevertheless, if we are going to have a reserve army, we must require men to obligate themselves to serve in case of war after their period of active service is over. In the Hay-Chamberlain Act we have gone as far as seems wise in reducing the number of months of active service which a man must spend with the colors before he goes to the reserves. We can not go very much further in that direction. We now come to reason No. 4. This reason was touched upon by the gentleman from Colorado [Mr. KEATING] when the Hay-Chamberlain Act was under discussion in this House.

I believe there is a great deal of truth in what the gentleman says. Still I do not yet see what the remedy is. I believe it to be the fact that the average young man is not willing to obligate himself to obey some one else's orders for 24 hours every day for one or more years. The average man dislikes the obligation to salute his superior officer, because that salute is an overt indication that he has yielded his will to some one else. That is a fundamental feeling. I do not know how we are going to change it. The young man says, "I do not want to salute the officer," and what he really means is that he does not want to show by any gesture of his that he has subjected his will to that of any one else on earth.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TOWNER. Mr. Chairman, a primary difficulty, it seems to me, with Members of the House is that they lack adequate information regarding the true condition of matters regarding the Army. We have the estimate of the gentleman from Massachusetts [Mr. GARDNER] and the estimate of the chairman of the committee of the number of men to be appropriated for, and they differ by thousands. We have sent to us an estimate by the War Department for the pay of 105,000 men, and yet the chairman of the committee admits on the floor of the House that there ought to be provision for the pay of 120,000. In my judgment there ought to be a provision for the pay of a great many more men than that, but just exactly how many more than that estimate it is impossible for us to determine. There ought not to be at this time this condition of secrecy, not to say misrepresentation. This House ought to know, in order to be able to do its duty, what are the exact facts. This House is ready now,

as it always has been, to meet any demand that may be made by the administration for preparedness for this probable Mexican war or any other war, but we do want to know something about the real condition of affairs. This administration has never come to the House and asked it for anything to prepare for the defense of the Nation or to meet any requirement in that regard that has not been given promptly and unanimously, and I believe, judging from the sentiment at least on this side of the House, that there will be no demand made by this administration on this Congress for anything in that nature that will not be immediately granted and gladly given in support of this country's honor and what may be necessary for its protection.

Mr. Chairman, the difficulty is that this administration seems to be playing fast and loose with this question. They want the people of the country to believe that they are for preparedness, and yet, when they come before Congress with their appropriations, in order to make an appearance of small appropriations and economy, they do not ask for a sufficient amount to provide for the real and unquestionably necessary amounts for the support of the Army that the House has already provided for. It seems to me, Mr. Chairman, that the country ought to know this, and while the newspapers of the country are heaping criticisms upon the Congress they ought to be told, they ought to know, and the people of the country ought to know, that this Congress is ready to meet any demand that the administration may make upon it or to take any action that may be necessary when they call upon us to do so. [Applause.]

The CHAIRMAN. The pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Additional pay for length of service of enlisted men of the line, \$2,300,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I had hoped the chairman of the Military Affairs Committee, the gentleman from Virginia, would accept the amendment I offered a little while ago providing that the pay of enlisted men should not be less than \$20 per month, although it was subject to the point of order.

Mr. HAY. I will say to the gentleman that if the amendment was offered that way it would cut down the pay of one-fourth of the enlisted men in the Army.

Mr. MOORE of Pennsylvania. Oh—

Mr. HAY. You can not work out a pay system by offering an amendment in that way.

Mr. MOORE of Pennsylvania. May I ask the gentleman, so long as he is on his feet, just how the pay is adjusted? Is it by statute or in the discretion of the department?

Mr. HAY. It is by statute—by law.

Mr. MOORE of Pennsylvania. Is the pay of \$15 for the enlisted men fixed by act of Congress?

Mr. HAY. Yes, sir; the pay of privates is \$15; the pay of corporals is so much more; the pay of sergeants is so much more; the pay of a first sergeant, a quartermaster sergeant, and so forth. There are various grades, but they are all enlisted men.

Mr. MOORE of Pennsylvania. I was referring to the privates, and I am endeavoring to increase, certainly not to lower, the pay of the private soldier, the man who, in my judgment, despite the fact that I believe in discipline and in military skill and generalship, must be depended upon in the last analysis for American victories.

Mr. GREEN of Iowa. I did not hear the gentleman's amendment.

Mr. MOORE of Pennsylvania. My amendment provided that as to this lump sum of \$23,000,000 appropriated for the pay of enlisted men no enlisted man should receive out of it less than \$20 a month.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. MOORE of Pennsylvania. I do.

Mr. GREEN of Iowa. I do not understand, then, how that could reduce the pay of the enlisted man.

Mr. MOORE of Pennsylvania. Neither do I. The gentleman from Virginia works that out.

Mr. HAY. I will be compelled to make the point of order. I do not think, in the first place, that you will get any more men under it; and, in the second place, we are just now putting in 100,000 men at the same pay the Regular Army gets. I do not know how long they are going to be down there.

Mr. MOORE of Pennsylvania. May I ask the gentleman whether the \$23,000,000 herein appropriated in lump sum will be sufficient to cover the pay of all regular private soldiers as well as those of the National Guard now being drafted into the service?

Mr. HAY. Oh, no; it only covers the pay of the enlisted men of the Regular Army.



Mr. MOORE of Pennsylvania. Although the President has drafted the National Guard for Federal service?

Mr. HAY. He has not drafted them.

Mr. MOORE of Pennsylvania. Under the Military Establishment bill passed the other day he has the power apparently, although the question has been raised as to whether Congress is to be consulted.

Mr. HAY. Not at all. He would not have the power to draft the National Guard without the authority of Congress any more than he would have the right to call out volunteers.

Mr. MOORE of Pennsylvania. Does the gentleman hold that the President would have to come to Congress for authority to draft the National Guard?

Mr. HAY. Yes.

Mr. MOORE of Pennsylvania. And he has not done so?

Mr. HAY. He has not.

Mr. MOORE of Pennsylvania. But the National Guard is being called into service.

Mr. HAY. It is being called into service.

Mr. MOORE of Pennsylvania. By the governors of the various States?

Mr. HAY. No; called into the service by the President under the Constitution which provides that the President shall call out the militia for certain purposes.

Mr. MOORE of Pennsylvania. And they are being called into camps in the various States?

Mr. HAY. And they must be paid by the United States Government while in the service of the Government.

Mr. MOORE of Pennsylvania. At the same rate that the regular soldiers are paid?

Mr. HAY. Yes.

Mr. MOORE of Pennsylvania. Then so far as legislation is concerned they will become Regular soldiers of the United States?

Mr. HAY. So far as the pay is concerned.

Mr. MOORE of Pennsylvania. Is their pay provided for in this \$23,000,000?

Mr. HAY. Not at all.

Mr. MOORE of Pennsylvania. There must be another appropriation?

Mr. HAY. There is another appropriation.

Mr. MOORE of Pennsylvania. And the National Guardsman if drafted will have the status of a Regular soldier of the United States?

Mr. HAY. The pay provided for the National Guard is in time of peace.

Mr. MOORE of Pennsylvania. Has the gentleman any idea of the cost of the National Guard as it is proposed to draft them now?

Mr. HAY. The gentleman means "called into service now."

Mr. MOORE of Pennsylvania. Is it 100,000 men, roughly estimated?

Mr. HAY. I suppose 85,000 of them would be enlisted men, and it would take about eighteen or nineteen million dollars to pay them.

Mr. MOORE of Pennsylvania. That would be somewhat less than the appropriation made here.

Mr. HAY. About \$5,000,000 less.

Mr. MOORE of Pennsylvania. What is this item, "For the pay of enlisted men of all grades, National Guard, \$7,750,000"?

Mr. HAY. That is when they are not in the service of the United States, which is provided for in the bill we just passed.

Mr. MOORE of Pennsylvania. Mr. Chairman—

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. While the gentleman from Virginia [Mr. HAY] holds the view that an increase of pay for enlisted men would not increase enlistments, and while the gentleman from Massachusetts [Mr. GARDNER] has also indicated that low pay may not be the principal cause for the failure of enlistments up to the present time, I am of the opinion that an increase of the pay of the men from \$15 to \$20 a month, or even more, would be an actuating cause for a greater number of enlistments.

Over in my State of Pennsylvania the National Guard mounts up to more than 10,000 men. They are now preparing themselves for service under the call of the President for the borderland of Mexico. They are wondering whether they are to be called into Mexico, and that question, I suppose, will be determined

later. These men are volunteers up to the time of their being drafted for service in the Regular Army of the United States. They come from the farms, the stores, the workshops, and the factories. They are men of peace in times of peace. They are not Regular soldiers, though on an emergency call they are willing to be. Fifteen dollars a month is a ridiculous compensation for men of this type, and when it comes to the wife and children left behind, the thought of 50 cents a day in these times of the high cost of living is enough to appall any man who yields up his home for the defense of his country. It is a mighty poor inducement on the part of the Government of the United States to men who are asked to go out enthusiastically under the banner of patriotism for an indefinite period with no ample provision for the family.

Mr. BORLAND. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Missouri.

Mr. BORLAND. Does the gentleman think that in organizing an army we can compete with the labor market in time of peace and prosperity? Does he think we can offer wages that will attract men solely on the score of wages? Is there any army in the world that has ever been organized on that basis?

Mr. MOORE of Pennsylvania. Does the gentleman from Missouri mean to be understood as objecting to the raising of the pay of a man a few cents a day, when he is offering his life for his country and his wife and children are dependent on his earnings for their food and clothing?

Mr. BORLAND. I am asking the gentleman a question.

Mr. MOORE of Pennsylvania. The gentleman asked me a question, and in Jersey fashion I am asking him one.

Mr. BORLAND. Does the gentleman think we can compete with private employers in the wages that we pay for an army in time of peace?

Mr. MOORE of Pennsylvania. I want to know if the gentleman would be satisfied to enlist, and leave his wife and children with the assurance that they would get what he could give them out of 50 cents a day, while he was down in Mexico risking his life and perhaps losing it for the sake of his country?

Mr. BORLAND. I am satisfied that both the gentleman and I would enlist, without regard to the pay, if our services were needed in the defense of our country.

Mr. MOORE of Pennsylvania. Yes; but you are calling for volunteers whom you propose to draft into the service of the United States, to send them into a foreign country, to live on cactus bushes and sand hills for an indefinite period. Many of them are getting \$50 a month or \$100 a month at home, and you are expecting to require them to leave their wives and children under these circumstances, to go away and fight, with the comforting assurance that the rent can be paid and that provisions and clothes for the baby can be bought for 50 cents a day. These young men are giving up something.

Mr. GREEN of Iowa. My understanding is that the pay of the soldiers was raised a certain amount, either directly or indirectly, by allowances or otherwise, during President Roosevelt's administration. My understanding is also that that did stimulate enlistments. I should think it would.

Mr. MOORE of Pennsylvania. I hope that statement is true. I have no direct knowledge of the fact.

Mr. GREEN of Iowa. I think their pay ought to be further increased.

Mr. MOORE of Pennsylvania. My interest in the matter arises from the fact that I know many of these young men who are going into the service.

Ten thousand of them are ready to go from our State, and they are going bravely and in compliance with their obligations, and they will fight as gallantly as the Regular soldiers or as the militia of any other State drafted into the regular service, which is to their credit and to the glory of the flag. But they can not avoid a thought of their other responsibilities. The question is being considered by others. The department stores and the great merchants and manufacturers of my city are now promising that they will continue these young men upon their pay rolls for the sake of the Government. Of course, the Government gives them protection. That is the answer that may be expected to that. But why should not the Government assume a little responsibility in caring for the wives and children of these men? Their pay is mighty small when you look at the total amount appropriated for pay of officers and men. I do not say this invidiously, because I am a friend of the officers and believe in discipline. I do not believe a man in the service should disobey his officer or hold him in contempt, but when we look at these figures and observe that of the total amount appropriated more than one-third and nearly one-half goes to the officers, whose wives and children are thus provided for, and that



the private soldiers who are to lay down their lives are to receive 50 cents a day, with no special assurance that even their wives and children will be taken care of, I think I am justified in offering this suggestion that the pay of these men who are going to make this great sacrifice should be increased from \$15 a month, or 50 cents a day, to at least \$20 a month. My distinguished friend, the chairman of this committee, the gentleman from Virginia [Mr. HAY], and my friend from Missouri [Mr. BORLAND] may be able to stand for this sort of pay, but I can not. I can at least make my proposition and my protest against the point of order. These men ought to be paid. They are going in time of peace down to our southern border to remain, no one knows how long. They are to leave their jobs behind, and some of their families perhaps may ultimately fall to the care of the community. Why, in my city just now the mayor is calling employers together to find out if some assurance can not be given by way of a guaranty fund that if these boys go forward they need not go with the fear that those whom they leave behind will be left destitute.

I am for the protection of the men who protect what I represent here, and in this instance they are the private soldiers of the United States. [Applause.]

Mr. HOWARD. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Pennsylvania. Mr. Chairman, as a preliminary statement of what I am going to say, I will state that I have very coolly and deliberately written what I am going to say to the House within the last 20 minutes on this subject discussed by the gentleman from Pennsylvania. I believe to-day it is the most serious condition confronting the American people, and yet very little thought of the causes and the effect of this situation has been given by Congress other than by the Committee on Military Affairs.

Mr. Chairman, my judgment is that the people of this country have never been in the enthusiastic frame of mind as to preparedness that exists to-day. It is dangerous to the political life of any man to point to the day when the taxgatherer will call around.

In all that has been said about preparedness most of the oratory has been devoted to the officers and their salaries, allowances, rank, and promotion, and practically no thought has been devoted to the most deplorable condition confronting the American people as to actual preparedness.

Permit me to call attention in plain language to this condition.

The American Army is in bad repute with the fathers and mothers of this country. Every atom of influence they can muster to prevent their sons from enlisting in the Army and Navy is exerted. Fathers and mothers very reluctantly give their consent for their boy to enlist, although he is engaged in sowing an extensive crop of wild oats, and parental influence and control has been lost over him. Why is it that farmer boys and town boys refuse to take a turn at military service? As an ex-private in the volunteer service of my country, let me give you my candid opinion why our boys shun military service in the Regular Army:

First. The officers have a European idea rather than an American conception of the spirit and pride of the American boy. Our officers, as a rule, believe that it is absolutely inimical to military discipline to show as much interest in the comfort and surroundings of post or camp life of the common soldier as they exhibit for their horse. To speak for any purpose to the private except to give him an order is conduct most reprehensible. An exhibition of any personal interest in a homesick or discontented boy would be conduct "unbecoming an officer and a gentleman." These fool notions must be condemned by the older heads among our officers, and more human interest exerted in the private soldier and his Army life made not a life of humiliation, but a life in which he can feel just pride.

To-day the private soldier in the uniform of his country is an unwelcome guest at first-class restaurants. They are told by many when they desire to order a meal that the simple dish they may desire served is "just out." They leave the place humiliated as they look around and see many whose life they are sworn to defend enjoying the very dish they had been refused. The places of amusement have just sold the "last seat" when the American soldier in uniform seeks admission, and so on down the line.

Thus it is that short service in the Army creates in the breast of the proud American boy a desire to flee from such environments. After his discharge he is continually urging his neighbor boys to beware of the standing army.

Mr. Chairman, the other day I accidentally ran into the first polo game I ever saw. The Army officers were playing some team of millionaires down in Potomac Park. There, with the horses and grooms, were several private soldiers in the uniform of their country exposed to the gaze of a thousand citizens

running over the ground gathering up turf that had been torn up by these ponies in their mad chase after a wooden ball and packing it back in the hole their hoofs had made.

The use of the private soldier for menial service of this character ought to be an offense that would subject these officers to court-martial and dismissal from the Army.

This Congress and the country must sooner or later discover that we can not and will not trust the defense of this country, so far as our Regular Army is concerned, to the professional soldier or the boy who has no ambition and can find nothing to do but to become a soldier. We must encourage by proper treatment and wholesome environments the real young manhood of this country to feel that the uniform of the private soldier is an introduction to the world at large that its wearer is a young man of character, a gentleman, a patriotic and courageous citizen, who is not only willing to die for his country's honor but who would die, if needs be, with a smile upon his face. [Applause.]

Let me say that this exalted and princely pinnacle upon which we have perched the Regular Army officer has made asses out of a few, and the larger portion of them are inclined to strut standing still.

Let us who have our country's defense at heart devote a little of our time in the future to the welfare of the private. Let us eliminate the causes for the disgraceful number of desertions from our Regular Army. Let us look upon our officers as every-day human beings. Honor them in the future as we have in the past for deeds of courage and valor; but, for the sake of the future of our Army, let them understand that in democratic America the Army officer is a real man and not an aristocratic demigod. [Applause.]

That is what I think is the sole cause for the slump and inability of this country to enlist young men in the service of the Regular Army, and until the system is changed, until we depart from the treatment accorded the American soldier to-day in the American Army, I say to you as an experienced man who has had service in the Army, that you will never enlist 50,000 young men in any 12 months in this Nation's history except when this country is imperiled by war. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Pay of enlisted men of all grades, National Guard, \$7,750,000.

Mr. HUDDLESTON. Mr. Chairman, I have been very much impressed by what the gentleman from Georgia [Mr. HOWARD] has said on the subject of enlistments in the Army. There is a great rush of men to get into the Army as officers, but a great rush away from the Army when it comes to enlisting men to carry guns on their shoulders. There is a reason for this. It has no relation to the pay in my judgment, nor to the patriotism of our people.

It is a mistake to say that \$15, the lowest pay of a private soldier, is all that enlisted men receive. These men get a longevity increase, they are retired after they have served a certain length of time, and noncommissioned officers in some instances received very handsome pay. I am informed that there is a case of a sergeant major who gets \$125 a month. However, we must not look entirely at the money paid these men. We must consider what else they get. These men are kept, they are found, they are clothed, fed, and housed. They have medical attention and hospital facilities and are looked after in every way. We must not lose sight of the fact that when these men receive an injury or are disabled in the service they will draw a pension from the Government.

I venture to say that the remuneration of the enlisted man in the American Army, on the average, compares in a fair way with the condition of men in industry. I would ask that those who are impatient about what we do for our enlisted men consider that. I would ask the distinguished gentleman from Pennsylvania [Mr. MOORE] what is the average amount paid the workingman in that State—the man that lives at home, that has his family to support? What is the average reward of labor; what does the common laborer get, on an average, in that State?

Mr. KREIDER. Does the gentleman desire an answer?

Mr. BUTLER. I will answer the gentleman.

Mr. HUDDLESTON. I venture to suggest that an inquiry will show that the common laborer, on the average, does not receive a greater reward than the man who serves as an enlisted man in the Army of the United States.

Mr. BUTLER. Mr. Chairman, will the gentleman yield? They get \$1.75 a day, for I have paid them.

Mr. HUDDLESTON. One dollar and seventy-five cents a day for a man with which to clothe himself and feed himself, to pay his hospital bills, his house rent, and everything a man has



to pay. I want to say to you, sir, that that is nothing like 50 cents a day with all expenses paid.

Mr. BUTLER. I want to say to the gentleman that we are not in the habit of starving people in the State of Pennsylvania.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUDDLESTON. Mr. Chairman, the real trouble has been pointed out by the gentleman from Georgia [Mr. HOWARD]. We are trying to import European customs into America. I have some first-hand information upon this subject. I have been a private soldier in the American Army and I have marched up and down on guard duty upon the picket post. I have seen the supercilious officer glittering in gold lace, with his sword dangling at his side, strut by, and I have seen him look upon me with scorn and with disgust.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDDLESTON. I have not the time to dwell upon this subject, but I want to say to you that in my judgment, and as my deliberate conviction, the most undemocratic institutions in all America are the American Army and the American Navy. I want to say that I believe that the spirit of caste which prevails in our Army and Navy is hostile to American institutions and that it is not worthy of a great democracy. I will not dwell on that, but want to pass to what I think is the remedy.

We have at West Point and at Annapolis very expensive institutions. In my judgment they are worse than useless, for we are training away from democracy in the Army and Navy at the very source from which it should flow and be made pure. There is inculcated into those young men when they come from those academies ideas that are not American. They are inspired with the idea that they are better than common men; that they are not of the common clay of the great body of the American people; that they are something superior, to be obeyed, to be saluted, to be accorded unusual courtesies. Why, gentlemen, as you know, the spirit of military circles is to despise the American Congress, sitting here as the representatives of the American people! Not only that, when these young cadets get their commissions there goes with them that same spirit. There are some splendid exceptions to this rule, and I glory in those exceptions. I glory in men who though bred in aristocratic environment are big enough of soul to realize that all men are but common clay. The spirit in the Army is bad. It is one in which the officer is one order of creature and the man is of an entirely different order. This spirit is obnoxious to our proud boys, sons of free American sovereigns, and this is why they will not make common soldiers of themselves.

In the Army the tendency is inevitable for an enlisted man to come to a certain standard, to be content upon a certain plane. That plane is hateful to the sons of the people of this great democracy. Are you gentlemen willing to have your sons put guns on their shoulders in time of peace and enlist in the ranks where supercilious officers will look upon them as serfs, as common, unworthy objects? Not at all. None of you would be willing to have your sons do that.

This same spirit of military caste has been translated into the laws which this body has passed for the government and control of our Army. Many of us, perhaps, are not familiar with the Articles of War. I happen to have made it my business to read those Articles of War; I had to read them. Do you know that if an enlisted man, no matter what the provocation, no matter how great the insult, nor how grievous the wrong, should dare to raise his hand, even his naked hand, against a commissioned officer, he is subject to the penalty of death under the Articles of War passed by the American Congress?

But if the commissioned officer should strike the humble private, should without cause ring his sword over his neck and wound him, what will be done with him? Not any death punishment by any means. He may be punished, and he may not; and I venture to say that if you will examine the records of the Army you will find that the instances in which any very serious punishment has been visited upon officers for wrongs upon enlisted men are very few indeed, yet we, sitting here as Representatives of the people, have passed those laws, and we have perpetuated and contributed our part to the spirit of militarism.

Oh, it is not a question of the money the enlisted man gets out of it; it is the question of a man being treated like a man. The problem of increasing enlistments is the question of doing something to democratize the American Army; it is the question of putting officer and man upon a basis of equality in their social life. I want to say that we will not be able to do much

in the way of enlisting men into the American Army to serve in time of peace until we do something to eradicate the outrageous caste spirit that pervades there. That is my opinion, and I trust we may find some way to do it. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HICKS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 24, after the figures "\$7,750,000" insert:

"Provided, That all officers and enlisted men of the National Guard who are Government employees and who respond to the call of the President for service shall at the expiration of the military service to which they are called be restored without loss of rank to the positions occupied by them at the time of the call."

Mr. HAY. Mr. Chairman, I make the point of order against the amendment.

Mr. HICKS. Will the gentleman reserve the point of order for a few moments?

Mr. HAY. I will reserve the point of order.

Mr. HICKS. Mr. Chairman, I realize that this amendment may be subject to the point of order, and that it is probably useless to ask the chairman of the committee to permanently withhold his objection. It is needless for me to endeavor to explain the purpose of the amendment, for by its wording it is self-explanatory. I offer it in the interest of the men who serve their Government and for the benefit of the Government thus served. It is apparent to me that however much we may differ on some things, we are all united in admitting that it is difficult—yea, almost impossible—to enlist men in the service of their country. This is not due to lack of patriotism, it can not be traced to a waning of the virility of our people, nor is it based on fear and danger. To me the explanation lies in the fact that men who may be the sole support of their mothers or their wives hesitate to enlist in the National Guard or enlist in the Army, knowing that their positions from which they derive the sole support for their families will be taken from them while they are serving their flag. For that reason, Mr. Chairman, I have offered this amendment, feeling that when a man has patriotism and loyalty enough to offer his life for his country, his country should have magnanimity and generosity enough to keep open for him the position he vacated to defend the flag, and I sincerely hope that my friend from Virginia will not make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee a question. I notice in the press that employees, persons holding public positions, who belong to the National Guard who are going into the service, that some arrangements are being made or attempted to be made in order to pay them part of their salaries of the several positions they hold. Does the chairman of the committee have any information on that subject?

Mr. HAY. I have not; no, sir.

Mr. CULLOP. I observed this in the public press in the last day or two; and, Mr. Chairman, if such an attempt is made, it is manifestly unfair to the other young men who, from the private walks of life, who have not had public preference by holding public office, are called upon to enlist in the defense of their country. Such a policy would be injurious, in my opinion, to the good of the service and would have the effect of preventing enlistment from the class of men that the Army will want in the future, men from the civil walks of life.

Mr. DUPRÉ. Will the gentleman yield?

Mr. CULLOP. I yield to the gentleman.

Mr. DUPRÉ. Is it not true that there is a strong sentiment all through the country in favor of private employers making such arrangements with their employees who are going to the front?

Mr. CULLOP. There may be some sentiment of that kind, but the gentleman will find it will not be done. I insist for one that a private individual who enlists in his country's cause is entitled to just as much consideration at the hands of this Government as some man who has been fed at the public crib for years and years. He is entitled to as much pay for his military service as the man who has a public office and goes into the service.

Mr. TAGGART. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. TAGGART. Is there any law under which that could be done? As I understand the law, there is nothing but a leave of absence for so many days that can be granted to any employee of the Government, but there is no law under which any part of the pay can be paid.



Mr. CULLOP. They may come under the blanket leave of absence; and if so, that blanket ought to be pulled away and folded up and laid away for a while, because a public officer who enlists in the Army or who is a member of the National Guard is entitled to no more consideration for his military services than the man who goes from the farm, the factory, the mine, or the counting room, and there is no reason, in my judgment, why he should have two salaries for the service. I prefer that we make the pay not only of a man who goes out of a public office but the man who goes from the private walks of life the same as the other and make no distinction whatever among those who enlist. If there is, I am quite sure it will cause serious complaint and be the source of great dissatisfaction. It will do incalculable harm.

I do believe where men surrender official employment and go into the service in response to their country's call, such places should be held for them, so that when they return these places will be open for them, and they can then, if they desire, resume their official positions. This would be proper and right, and I am strongly in favor of it. I hope this privilege will be granted them as a recognition of their loyalty and patriotism.

In my judgment the compensation is too low, and it ought to be higher than it is; but certainly a public officer should not receive additional pay for service that a private individual can not get. I wanted to know from the chairman of the committee, so that it might go into the Record, whether this matter was contemplated or not or whether there was any law by which it could be done. If these men holding public positions go into the service of the country, other persons must perform their public duties, and the people ought not to be required to pay twice for the same service. Therefore it seems to me that it would be a discrimination, and one that would prove very injurious to the public, if this plan was to be followed which is now proposed in the columns of the public press.

Let all be treated alike and the public service will profit, and the men in the service will be better satisfied. All who enlist are to be commended for their patriotism, their love of country, and their devotion to the cause of the Union. They demonstrate their courage by showing their willingness to defend the country in the hour of its peril.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGGART. Mr. Chairman, I am astonished that there is any such law as that referred to by the gentleman from Indiana [Mr. CULLOP], under which any part of the pay of a Government employee can be given to him while he is absent on military service. Any such law as that should be opposed. A man should not draw two salaries; but I would be very glad to vote for an amendment that would allow the man who offers a higher service to the Government than he is now rendering and who goes to the front as a soldier the protection of his place as a Government employee and the right to return to it when the campaign is over. [Applause.] The Government is a different employer than any other. It represents the entire judgment, will, and feeling and sense of justice of the whole American people. There is not a patriotic citizen in the United States who has a man in his employ, where that man enlists in the National Guard and goes to the front, or in the Regular Army, for that matter, who is not willing to say that he will restore the man to his work after he comes back from the war. And the Government should be an expression of the will of the best and most patriotic citizen.

I have listened with regret to the two attacks that were made upon the officers of the Regular Army. We must know that we can not expect an officer, or even a foreman of a section gang or a man in charge of any class of work, to be hail fellow well met with those under his direction. If he does, he will have no control at all over them before he gets through. There is no man on earth who respects a private soldier more—I say it advisedly—there is not a man in all the military service in the world who has more respect for the enlisted man than the American officer. He can not associate with him socially, he can not be on terms of easy intimacy with him, but down in his heart and in his soul he loves him if the soldier is at all willing to do his part.

And when you get among the men who are serving in the Regular Army you will find them saying that such and such an officer, and pretty nearly every one of them, "is a fine man." When you hear them saying that the officer deserves it. They know accurately the reputation of every officer in the Army; and we must remember that the officer is more sensitive of that reputation among those private soldiers than he is of any reputation that he might have even in this House, because they make whatever success he has, and he helps to make the success that they may have.

I saw in the paper this morning a statement that the Regular Army is at 96,000 men. It was something more than 102,000, I believe, before we passed the Army reorganization bill.

Mr. GARDNER. If the gentleman will allow me, I believe the discrepancy in figures arises from the fact that the 102,000 included the Hospital Corps and the Quartermaster Corps.

Mr. TAGGART. Will the gentleman please tell us how it stands now?

Mr. GARDNER. There are between 92,000 and 93,000 enlisted men of the line.

Mr. TAGGART. We have not got quite as many men as we had a couple of months ago, have we?

Mr. GARDNER. I think we have about 2,000 more.

Mr. TAGGART. I am not going to say anything about the one man who enlisted in Boston. He was a stranger, and they took him in. [Laughter.]

Mr. GARDNER. Disregarding that unfortunate gentleman, I think we have increased enlistments by about 2,000 men. The chairman of the committee can tell us about that. I think the confusion of figures in the gentleman's mind comes from the fact that the Hospital Corps and the Quartermaster's Corps are now excluded from the figures.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGGART. I should like three minutes more.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. TAGGART. Now, there is a plain, easy, old-fashioned explanation for the disinclination of the American young man to enlist in the Regular Army at this time. Times are too good, and you can not get men at 50 cents a day. That is what is the matter, especially in the spring or in the summer. Four or five years ago, especially when the snow began to fly, they had to reject four or five fit men for every one they accepted. They would have four or five good applications where they needed only one man. But now, even in Boston, times are so good that only one man was enlisted in seven days in the shadow of Bunker Hill Monument. [Laughter.] And it is a presumption of law that he was sober.

Mr. CLINE. I think the gentleman does Boston and the States of Massachusetts and New Hampshire an injustice, because while they enlisted only 12 men in the month of April, 1915, they enlisted 42 men from all that territory in the month of April, 1916.

Mr. TAGGART. It is not a want of patriotism there. They are just as patriotic as they are in Kansas City, and I think they ran a week in Kansas City and got only 11 men. It is not a lack of patriotism. A man who can get work at \$2 or \$3 a day under this Democratic administration [applause on the Democratic side] will not enlist. When you read the Republican platform you will discover the secret by the very absence of the old, familiar language. They do not promise prosperity, because it is already here. We have got it. They are just as silent on that as they are on the subject of pensions, which they ignored for the first time in 48 years. We can not expect the boy to give up home for any hard service for 50 cents a day, and in contradistinction to that fact we see right here in Washington that hundreds of men offer themselves as soldiers in the National Guard. It is popular, there is no difficulty in filling up the regiments, and it is a matter of pride to me to say that there are 1,000 men in the second district of Kansas under arms ready to march. If there is any district besides the second district of Kansas that has 1,000 men under arms ready to go, I would be very glad to have the name of the district put in the CONGRESSIONAL RECORD. [Applause.]

Mr. HAY. Mr. Chairman, a moment ago I made a point of order on an amendment offered by the gentleman from New York. When I made the point of order I did not sufficiently understand the proposition carried, and I desire to withdraw the point of order.

Mr. HICKS. Mr. Chairman, I ask unanimous consent to return to page 9, line 24, and offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. Is there objection?

There was no objection?

The clerk read as follows:

Amend, on page 9, line 24, after the figures "\$7,750,000," by inserting the following:

"Provided, That all officers and enlisted men of the National Guard who are Government employees and who respond to the call of the President for service shall at the expiration of the military service to which they are called be restored to the position occupied by them at the time of the call."

Mr. BORLAND. Will the gentleman yield?

Mr. HICKS. Yes.



Mr. BORLAND. This is not confined to men in the executive offices in the District of Columbia, but it extends to service throughout the United States to all men in Government employ wherever they may be found.

Mr. HICKS. Yes. The idea I had in offering it was to facilitate the enlistment in the National Guard. It is a change of service. A man enlisting in the civil government becomes an enlisted man in the military arm.

Mr. BORLAND. I am in sympathy with the gentleman's amendment. I think it is a splendid thing and it ought to be done, and it ought to be a model for other employers to do the same thing.

Mr. GALLAGHER. Will the gentleman from New York yield?

Mr. HICKS. Yes.

Mr. GALLAGHER. I would like to ask the gentleman what effect this will have where a man is disabled in the service. Would the Government be compelled to take him back into a position he was not qualified to fill?

Mr. HICKS. I should imagine that he would be subject to the same rules that any other employee would be subject to.

Mr. GALLAGHER. But this directs that he must be taken back into his former position regardless of his ability to fill the position.

Mr. CLINE. It is an elective opportunity, he can return if he wants to.

Mr. GALLAGHER. I would like to have the amendment again reported.

The Clerk again reported the amendment.

Mr. GALLAGHER. I take it that under that what I say is correct, that no matter what was the physical condition of the man he is obliged to be taken back.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

CORPS OF ENGINEERS.

Pay of enlisted men, \$600,000.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I meant no discourtesy to the gentleman from Pennsylvania [Mr. BUTLER] when I declined to be interrupted. I wished to pursue another line of thought. I now want to give him a show for his white alley and am willing to be interrupted.

Mr. BUTLER. Will the gentleman define what he means by white alley?

Mr. HAY. Mr. Chairman, I dislike to make a point of order, but we must be getting along with this bill.

Mr. HUDDLESTON. Speaking to the point of order, I wish to demonstrate that the pay in the Army is better than the laborer's pay in private life of \$1.75 a day.

The CHAIRMAN. Does the gentleman from Virginia make the point of order?

Mr. HAY. No; I do not.

Mr. HUDDLESTON. The gentleman from Pennsylvania says that the laboring man in his State can make \$1.75 a day. I do not think for a moment that wages in Pennsylvania are not as good as they are anywhere else, for in these glorious days of munition making, getting ready for killing men, I do not doubt but that wages are rather better there on an average than over the country at large.

I will concede that a laborer's wages in Pennsylvania are \$1.75 a day; that a man always in work and always in health can make, after knocking out Sunday, \$43.75 a month. That is the wage a man can make as a laborer when he is always well and always has a job. Now, we know that there must be figured out from 10 to 20 per cent of a man's life when he is not able to work, and we also know that it is unfortunately too true that the \$1.75 man is out of work, on the whole, somewhere near 25 per cent of the time. But these points I do not wish to discuss.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. In a moment. Now, with this \$43.75 a month for the laboring man we will first lay aside the \$15 that he would get as the minimum pay in the Army. That is the minimum pay. The average pay for the private in the Army is about \$20 a month, and in addition to that he is kept and found, and so forth, as I said. In addition to that, we have the noncommissioned officer, and we have those who get bonuses for longevity in service, and other things of that kind, so that a man may get very good wages in the Army. He may get as much as \$125 a month as a sergeant major, but we will take him at his lowest pay, and we will take every intendment in favor of the \$1.75 a day man. From the \$43.75 we take off the \$15 that he would get in money if he served in the Army. We then take off \$15 a month for house rent, \$3 a month for clothes, and \$1

for drugs and doctor bills, and so forth, for himself and his family, and 5 cents a day for tobacco. We allow nothing for street car fare or for pleasure of any kind or description, or anything else that a man has got to have, and we know that many of these things are as necessary as food and drink. We all realize that. We find that the result is that for the man and his family only 9 cents per meal remains. That is the result of figuring out a laborer's wages at \$1.75 a day; so that on the whole there can not be any fair doubt that we pay better wages for serving in the Army to the enlisted man than a man can get as a common laborer.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I agreed to yield first to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. I did not hear the first part of the gentleman's speech, but I have been advised that what he did say was substantially in answer to what I said.

Mr. HUDDLESTON. No; it was in answer to the statement of the gentleman's colleague, Mr. BUTLER.

Mr. MOORE of Pennsylvania. I want to dispute the gentleman's statement as to the wages paid in Pennsylvania in various lines. I have no idea where the gentleman got his information.

Mr. HUDDLESTON. I would set the gentleman upon his colleague.

Mr. MOORE of Pennsylvania. Ordinary common labor today in Pennsylvania gets \$2 and \$2.25 a day, and did before the munitions making began.

Mr. HUDDLESTON. Of course, we have unusually good times under a Democratic administration; but that is not the customary thing and it is not the condition of affairs over the country as a whole.

There is one point to which I desire to advert. I do not like to cavil and complain unless I offer a remedy, and I want to offer a remedy for the undemocratic conditions that obtain, in my opinion, advanced with all seriousness and with consideration for everyone involved, in the American Army, and that is this—

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Chairman, that remedy is this: We must make it possible, we must make it easy, for men to pass from the enlisted ranks into the commissioned class. We must put all soldiers more on an equality. I submit, with all respect to the gentleman from Kansas [Mr. TAGGART], that there is nothing in the argument that to hold their obedience the officer must not treat the men as social equals. The superciliousness with which the eastern despot clothes himself is unnecessary to command men.

The way to get respect in this world is to deserve respect. Never did a man who had authority back of him lack for obedience upon the part of those under him when he deserved to be obeyed, and when he had the manhood and the quality to deserve it. Do not let us think that we have to array ourselves in fine feathers like birds of paradise and claim to be better men than other men, in order to get them to obey us.

The thing we need to do is to make it easier for the common man to get into West Point. You all know that it is true that you can not get your boys into West Point, they can not stand the examinations, the examinations are too difficult. I want to nominate from my district some representatives of the common people of that district to West Point. I want to see the sons of the men who toil go to West Point and be put in positions of command. So far as I can I want to see to it that the Military Academy is a democratic institution where there are representatives of the great mass of the American people. But the common boys can not stand the examinations, they can not get in. The young fellow who gets into West Point has already got all of the education that an American boy has much use for.

That is the great trouble. What we have created in the American Army is not an aristocracy of birth, it is not even an aristocracy of place, but it is an aristocracy of culture. We have created a great gulf between the culture of the Army officer and the modest scholarship of the enlisted man. The Army officer, with all his education in languages, in arts, and sciences, is an aristocrat in all of the things that go to make a man a gentleman but not necessarily a soldier. We have qualified him to represent us in parlors and in the courts of the world, but it is not a qualification that is essential to representing the American people on the field of battle.



We are making at West Point an aristocracy of culture. Scarcely any of us have education equal to that of a man who has gone through the Military Academy. What connection is there between the study of languages and literature and being a soldier? What connection is there between the high academic standards maintained at the academy and the instruction which it takes to be a competent and fit man to command men, to lead when cannons belch and the battle roars? I submit that there is very little.

Let us put West Point where the sons of the common people can enter. Let us make it possible for the sons of common men to go to West Point, and thereby democratize that institution. At present because of the academy's difficult standards we are forced to select from among the few who have had the best educational advantages, from rich men's sons, from boys picked from the highest circles of American life. We put them in West Point and we polish them and work on them as though we would make rubies out of glass and diamonds out of pieces of common stone. The result of it all is we are vitiating the ideals for which our ancestors laid down their lives and for which American institutions stand.

Mr. CAMPBELL. Will the gentleman yield?

Mr. HUDDLESTON. I yield to the gentleman.

Mr. CAMPBELL. But some one has to devise the 16-inch gun that will land a shot on a mark 20 miles away.

Mr. HUDDLESTON. That is just the point. Why should you educate every American officer to be a skilled technologist in arms? Why undertake to make a man a specialist in any line unless he shows especial aptitude and excellence? My dear, sir, it is one of the most egregious wastes of education that ever existed. When we educate men for Army officers, let us select for special technical training only those that have shown special adaptability in those lines. Let us make ordnance officers out of those who show a special ability for it. Let us make an engineer out of the man who shows a natural turn as an engineer. Let us make specialists out of the men who are fit to specialize, but let us not undertake to make a specialist out of every sublieutenant we have. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CANNON. Mr. Chairman, I did not intend to say a word. I have listened to many words and I recall the old text way back in holy writ, "Words darken counsel," and they do at times. I am inclined to think this is one of the times. [Laughter.] I want to ask the gentleman from Virginia, the chairman of the Committee on Military Affairs, what proportion, if he recollects, of the officers in the Regular Army are graduates of West Point, and what part get in from the ranks and from civil life?

Mr. HAY. Really, I could not say; but there is a provision of law by which enlisted men can get into West Point, and, as a matter of fact, now there are in the Army of officers more men enlisted and from civil life than those who are graduates of West Point.

Mr. CANNON. That is my understanding.

Mr. MOORE of Pennsylvania. Will the gentleman yield.

Mr. CANNON. I will.

Mr. MOORE of Pennsylvania. One of my boys at West Point was enlisted in the Coast Artillery and he came to me with the Coast Artillery uniform on. He was drawing \$11 a month and I appointed him, and he is one of the best boys in the service to-day.

Mr. CANNON. In the Marine Hospital Service, in the Revenue-Cutter Service, and in the Regular Army I am under the impression that from one-third to one-half of the men who enter the Army as officers come from the ranks and have to pass their examinations.

All men are not of the same size. Some children are born feeble-minded. We are caring for them. Fortunately, the feeble-minded do not come to Congress. [Laughter.] You know, some people have a cast in the eye; some are close-sighted and some are long-sighted, and sometimes there is a cast in the brain as well as in the eye. The best way is to be practical. Well, I sat here to-day and listened to Members talk while we were considering this bill, and there ought to be no disagreement about this bill and the amount of it. There is a real desire to have a bill sufficient for the public service at this time and for the future. [Applause.] But yet some Members say, "Oh, these big munition makers, these wicked makers of munitions, and all that kind of thing. Yes; there are a great many munition-of-war makers. Under the law of nations there is the right of the neutral to make munitions and sell them to combatants. There is one good thing coming out of it. There is preparedness in large part coming from the making of munitions and explosives. Why, I hear gentlemen who come from the cotton coun-

try inveigh against munition makers. Good heavens, your cotton that you raise is over one-half of it now being used for the high explosives. Had not you better clean your house at home before you rail at other citizens who produce explosives and munitions of war? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. CANNON. Our friends in the majority boast about the good times we have under this administration and then turn on the munition makers. I do not know but you will be turning on the cotton growers and turning on the people that get good prices for corn and for wheat. It arises under our present economical policy from the war in Europe, and nothing else, and I commend you to the condition for the first 8 and for the first 12 months after you put your economic policy upon the statute books before the European war. Oh, you may cry about good times and all that kind of thing. I will make no comment about your holiday other than to say, thank God, the majority, and the great majority, of our people are quite as bright as we are when it comes to the question of production and the question of prosperity, and all that kind of thing. Now, touching the officers, I never thought Crazy Bill Sherman, as the boys lovingly called him, went around shaking hands with the soldiers under his command. If he had done that he would have done nothing but that. He was a martinet. Yet those who were acquainted with him—and I had that honor—all the while knew of his affection for the private soldier. Take Grant. Why, Grant in the Battle of the Wilderness—God knows how many officers and private soldiers fell there—succeeded because he flanked Lee day after day without regard to the lives of men; but it was humanity and patriotism that made that sacrifice necessary.

Men of full age and with families are not going into the Army from the farms or from the shops unless there is a condition in the country which touches the heart, so that they feel that they fight for the flag and for our civilization. The young boys go. Of course they are patriotic. I call the attention of the House again, as I did on a former occasion, to the fact that a majority of the young men in the Union Army during the War for the Union were under 18 years of age when they enlisted. The young boys take chances that the older men do not take. I have no fear but that when the emergency arises the men will come. Why, they called out four regiments of the National Guard of Illinois. They left two regiments uncalled for. The Representatives in Congress from the districts of the regiments that were not called for are getting telegrams by the score asking "Why are we left out?" They want to go, and they are amongst the best of our population. They think there is an emergency. It does not make any difference whether I think there is an emergency or not. Some people who are inclined to criticize say it is a bluff. I do not say it is. We are to meet it here and not treat it as a bluff from the standpoint of preparedness, because the sentiment and the heart of the country is that the honor of the flag should be maintained and that American citizens, wherever they are to be found, must be protected, whether they be in Mexico or elsewhere, and the boys and men of this country are ready to give the lie to the statement that this great citizenship is too proud to fight. [Applause on the Republican side.]

Mr. KREIDER. Mr. Chairman, it seems to me that in the matter of pay for the men in our Army and Navy this Government has been and is now pursuing a most miserly, unfair, and un-American policy. A mere pittance of 50 cents per day practically and effectually closed the service to those who may have others depending on them for support.

Mr. Chairman, it seems to me that the committee in charge of this bill have not properly or carefully considered this matter. Many of the men who are members of our National Guard are married and have families depending upon them for support; they have been called upon by the President to mobilize, and possibly later to be ordered to the border. These men are expected to serve under all conditions, as long as needed in defense of our country and flag, at the risk of their lives and health, and should receive at least \$1 per day. I want to say right here that I would favor a law which would make the minimum pay of any soldier \$1 a day. It should not be less. The National Guard has been organized for a number of years. A number of the members of the guard are married men now. They were single when they first enlisted. They have since married. They have been called upon to do field duty for two weeks each year. They are now married and have one, two,



three, or more children. The question arises, and I have been asked within the last few days, "What shall we do?" If they do not enlist they will be accused of not being patriotic. If they do go, they will get the magnificent sum of 50 cents a day for the maintenance of their wives and children. What in the name of common sense are the wife and the two or three children to live on after paying rent, out of the \$15.00 per month? Gentlemen, it is a serious question with these men. It is not a mere play upon words: Here is a man employed, earning perhaps \$15 or \$18 a week. He is willing to make the sacrifice for himself. He does not want a cent for himself, but he has his loved ones. He has his wife and children, and he is very possibly living in a house for which he is paying rent. Who shall take care of the dear ones whom he leaves at home?

The Good Book tells us that "Charity begins at home." Who is the more patriotic, the man enlisting in the service and leaving his wife and children upon charity or the man who says, "I have sworn before God and men to support this woman and these children. I am responsible for them. I will not desert them?" Is not this Government, that boasts of its billions, that appropriates hundreds of millions of dollars on enterprises of questionable value, able to pay at least a dollar a day for the maintenance of that wife and children while the father is making the sacrifice for you and me? It is not the same as with the young man who enlists in the Army at the age of 18 or 19. If you make it impossible for the married men to enlist and are going to take all of them out of the National Guard who are obliged to leave their wives and children at home, where are you going to get men to fill their places? I venture to say that in my district over one-half of the men who are members of the National Guard of the State of Pennsylvania are married men and have families to support. There are a few who are well to do who do not need to concern themselves about their wives and children, but I believe that when my colleague from Philadelphia [Mr. MOORE] called the attention of the committee to these conditions and offered an amendment raising the pay to \$20 per month he performed a public duty. The only criticism I have is that he did not go far enough. If we want an army, we ought to be willing to pay for it. We ought to be willing to pay the men a sufficient amount of money so that their wives and children will not become objects of charity when they do enlist. [Applause.]

The Clerk read as follows:

Clerks, messengers, and laborers, office of the Chief of Staff.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order to this and the following lines. I should like to inquire of the chairman of the committee whether the clerks whose salaries are enumerated in lines 18 to 25, on page 10, and down to line 9, on page 11, are not employed in the department here, and if they should not be carried in the legislative, executive, and judicial appropriation bill?

Mr. HAY. No; they never have been. These are clerks, messengers, and laborers in the office of the Chief of Staff, and they have always been appropriated for on the Army appropriation bill.

Mr. STAFFORD. I am not asking where they have heretofore been appropriated for. I am asking whether they are not employed here in the departmental service at Washington.

Mr. HAY. Some of them are and some are not.

Mr. STAFFORD. The office of the Chief of Staff is located here at Washington?

Mr. HAY. Yes; but I think some of them are sent to New York and other places.

Mr. STAFFORD. Are not those sent to New York and other places included in the next item?

Mr. HAY. Yes; they are.

Mr. STAFFORD. And is it not a fact that the clerks and other employees at Washington were separated from last year's appropriation act?

Mr. HAY. They have been separated. Does the gentleman wish to make a point of order to this?

Mr. STAFFORD. Does not the gentleman think these salaries should be carried in the legislative, executive, and judicial appropriation bill?

Mr. HAY. They have not been, and that bill is already a law, and if you make a point of order you cut them out.

Mr. STAFFORD. We can easily make provision for them in the general deficiency bill.

Mr. HAY. Very well, Mr. Chairman.

Mr. STAFFORD. I make a point of order as to lines 16 to 25 on page 10 and lines 1 to 9 on page 11.

Mr. CANNON. Has not the Army bill always carried these appropriations?

Mr. HAY. Yes. I do not concede the point of order, Mr. Chairman.

The CHAIRMAN (Mr. BYRNS of Tennessee). The present occupant of the chair will state that the regular Chairman is temporarily absent from the Hall, and under all the circumstances if the gentleman from Wisconsin insists upon his point of order and the gentleman from Virginia [Mr. HAY] does not concede it, the Acting Chairman would prefer that gentlemen let this go over until the regular Chairman returns.

Mr. HAY. I have no objection. I will state to the gentleman that the other item, beginning on line 1, is, of course, subject to a point of order.

Mr. STAFFORD. Let the gentleman ask unanimous consent to pass over temporarily that part of the bill beginning on line 16, page 10, and ending on line 9, page 11.

Mr. HAY. I understood it had been passed over. I ask unanimous consent to pass it by temporarily.

The CHAIRMAN (Mr. BYRNS of Tennessee). Without objection, it will be passed over, and the Clerk will read.

The Clerk read as follows:

For commutation of quarters and of heat and light, \$44,684: *Provided*, That hereafter headquarters clerks shall be known as Army field clerks and shall receive the same pay and allowances as now allowed by law to pay clerks, Quartermaster Corps, with the exception that Army field clerks at entrance into the service shall receive but \$1,000 per annum for the first year of service: *Provided further*, That Army field clerks duly assigned to and performing the duties of chief clerks shall receive \$250 per annum in addition to the regular pay of their respective grades while performing the duties of chief clerks: *And provided further*, That Army field clerks shall be subject to the Rules and Articles of War.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the proviso. I understand that this will increase the pay of the Army field clerks so that after serving 15 years they will receive \$1,800 and after 10 years \$1,600 and after 5 years' service \$1,400.

Mr. HAY. This is an entirely new provision, and subject to a point of order. It provides for commutation of quarters and it also provides for the same pay and allowances now allowed to the pay clerks.

Mr. STAFFORD. The gentleman's report gives considerable attention to the recommendation.

Mr. HAY. Yes; I quoted it in full, so that everybody might understand.

Mr. STAFFORD. The average salary of the Army field clerk is not over \$1,200, and under the recommendation made here they will be much higher than that of the clerks in the service here. I am not in sympathy with the idea of singling out special clerks with such inordinate increases of salary as is provided for in this proviso, and I will make the point of order, Mr. Chairman, to the paragraph.

The CHAIRMAN. Does the gentleman from Virginia wish to be heard?

Mr. HAY. I do not.

The CHAIRMAN. The point of order is sustained.

Mr. HAY. Now, Mr. Chairman, in order to straighten out the matter, I ask unanimous consent to substitute, on pages 10 and 11, the law that passed last year for these clerks. I ask unanimous consent to offer an amendment to take the place of these two provisions, where we have separated and undertaken to change the status of the clerks.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to offer an amendment to take the place of paragraph beginning on line 16, page 10, of the bill, including line 7, page 12. Is there objection?

There was no objection.

The Clerk read as follows:

Amend, on page 10, line 15, by inserting the following:  
 "One chief clerk, at the office of the Chief of Staff, \$2,250 per annum.  
 "Three clerks, at \$2,000 each per annum.  
 "Twelve clerks, at \$1,800 each per annum.  
 "Fifteen clerks, at \$1,600 each per annum.  
 "Thirty-eight clerks, at \$1,400 each per annum.  
 "Seventy clerks, at \$1,200 each per annum.  
 "Sixty-five clerks, at \$1,000 each per annum.  
 "Six clerks (Filipinos), at \$500 each per annum.  
 "One captain of the watch, at \$900 per annum.  
 "Three watchmen, at \$720 each per annum.  
 "One gardener, at \$720 per annum.  
 "One packer, at \$840 per annum.  
 "Two messengers, at \$840 each per annum.  
 "Fifty-nine messengers, at \$720 each per annum.  
 "Six messengers (Filipinos), at \$300 each per annum.  
 "One laborer, at \$600 per annum.  
 "Two laborers, at \$600 each per annum.  
 "Five charwomen, at \$240 each per annum.  
 "In all, \$312,690."

Mr. CANNON. What is the aggregate of the amendment?

Mr. HAY. In all, \$312,690.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.  
 The amendment was agreed to.



The Clerk read as follows:

QUARTERMASTER CORPS.

For pay of officers of the Quartermaster Corps, \$655,400.

Mr. HAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 13, at the end of line 6, insert the following:

"Provided, That the President of the United States, in his discretion, be, and is hereby, authorized to appoint Charles P. Daly, chief clerk office of Quartermaster General, a military storekeeper in the Quartermaster Corps, United States Army, with the rank, pay, and allowances of a captain mounted, and the grade of military storekeeper is hereby revived in the Army of the United States for this purpose only."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that.

Mr. HAY. Mr. Chairman, it is subject to a point of order, but I have offered it at the request of Gen. Aleshire, Quartermaster General, and a large number of officers in his corps. This man is about 47 years of age. He has been in the service of the Army for 27 years. He served in China; he served in the Philippines; he served in every part of the United States, and he is a man of the most excellent character and has given most excellent service.

He will yet give many years of service before he can be retired. His pay now is \$2,750. It will be \$2,400 if this amendment is agreed to, and the purpose of the amendment is not so much on account of the money as to give him a permanent status. He has been chief clerk of the Quartermaster's Department for a good many years. He has just returned from a visit of inspection down in Mexico, where he has been for the purpose of ascertaining what our troops needed. He is a man of such ability that he is called upon in every emergency to render service. I desire to print with my remarks the recommendations which I have received from the Quartermaster Corps, Gen. Sharpe, one of the acting quartermaster generals, Col. Downey, and a great many others, and I think it is something that we ought to do for this very efficient public servant.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by inserting the recommendations referred to. Is there objection?

There was no objection.

The recommendations are as follows:

WAR DEPARTMENT,

OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,

Washington, May 31, 1916.

Hon. JAMES HAY,

House of Representatives, Washington, D. C.

MY DEAR MR. HAY: I understand that Mr. Charles P. Daly, chief clerk, office of the Quartermaster General, is desirous of an appointment as military storekeeper, Quartermaster Corps, United States Army. I can not recommend Mr. Daly too highly. He has been associated with me as clerk in the Quartermaster's Department and Quartermaster Corps since April, 1900, and during the entire period has been performing duties in the Quartermaster Corps that would be required of military storekeepers, for which office he is eminently qualified.

Mr. Daly joined me as a clerk while I was chief quartermaster at Santiago, Cuba, serving from April, 1900, to July, 1900. From this station he accompanied me as follows:

Tientsin, China, where he served as chief clerk of the office of the depot quartermaster, of which I had charge, from October 1, 1900, to March 3, 1901.

Manila, P. I., where he served as chief clerk of the office of quartermaster, transport service of which I had charge, from April 1, 1901, to January, 1903.

In January, 1903, the offices of the depot quartermaster, water transportation, and land transportation were consolidated, and Mr. Daly served as chief clerk until August, 1903, when I was ordered to Washington.

Washington, D. C., where he served as chief clerk in charge of the settlement of my accounts. The records show that disbursements had been made to the amount of approximately \$9,000,000. The accounts were closed by the accounting officials of the Treasury Department, the only shortage being some property valued at \$2.35.

Upon the settlement of the accounts above referred to Mr. Daly was transferred to the office of the Quartermaster General, where he served as clerk from April, 1906, to March, 1911. It was my pleasure to appoint Mr. Daly chief clerk of the office of the Quartermaster General in March, 1911, since which time he has performed the duties of the office most energetically, tactfully, and efficiently.

Mr. Daly has been in the employ of the Government in various capacities for more than 27 years, and I know of no one who has rendered more faithful and valuable service to the Government. He has earned the appointment which he seeks, and which, in my opinion, it would be in the interests of the service to make. I therefore earnestly recommend favorable legislative action to accomplish the same.

A brief statement showing Mr. Daly's service is inclosed.

Very sincerely, yours,

J. B. ALESHIRE.

SYNOPSIS RECORD OF CHARLES P. DALY.

Record shows entry into service of the Quartermaster's Department as teamster March 29, 1889, and served in the following positions: Foreman, assistant transportation agent, and clerk in the various grades to March, 1911, when appointed chief clerk, Office of the Quartermaster General, in which capacity is now employed.

Service has been continuous since first appointment. Served through the Spanish-American War as quartermaster clerk, and was with the First Cavalry Brigade from May, 1898, throughout the campaign in Cuba leading up to the surrender of Santiago to August 31, 1898, and later, about December, 1899, assigned to duty as

chief clerk, Chief Quartermaster's Office, Department of Habana; later, May, 1900, as chief clerk, Chief Quartermaster's Office, Department of Santiago, Cuba. Served as chief clerk, Depot Quartermaster's Office, Tientsin, China, during the Boxer uprising in China; later, chief clerk, Water Transportation and Depot Quartermaster's Office, Manila, P. I.

Is considered an authority on questions of transportation and supply. The supply of the United States forces at Tientsin and at Peking, China, during the Boxer uprising in 1900, presented many difficulties. Mr. Daly assisted in the handling of this difficult problem, and his services were of great value in the successful conduct of the whole question of the supply of the troops in China.

In 1903 he assisted in the consolidation of the three offices of the Quartermaster's Department in Manila, known as the Depot Quartermaster, Water Transportation, and Land Transportation into one office, known as Depot Quartermaster. This consolidation was successfully effected, and as a result material savings in operating expenses were made.

Had charge of the disbursement of several millions of dollars during the years 1900 to 1903, inclusive, and had in his charge and under his control large amounts of currency without a deficiency of one cent.

In 1907 and 1908 assisted in working out the plan of decentralization of the duties of the Quartermaster's Department, which has been in successful operation for the past eight years and which has greatly increased the efficiency in the furnishing of supplies to the Army.

In 1913 assisted in the working out and putting into effect a system of property accounting which greatly reduced paper work and which provided a record in the Quartermaster General's Office showing approximately a daily balance of property on hand at all posts.

Assisted in the working out and making effective the centralized purchase of all articles of a staple commercial class supplied by the Quartermaster Corps for the Army. Under this plan the Government secured a better quality of article and lower prices than heretofore secured. Considerable savings made under this plan.

Assisted in the working out of the consolidation of the office establishments of the Paymaster General, Commissary General, and Quartermaster General into the office of the Chief of the Quartermaster Corps (now Quartermaster General) under the provisions of the act of Congress approved August 24, 1912.

WAR DEPARTMENT,

OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,

Washington, May 31, 1916.

Hon. JAMES HAY,

House of Representatives.

MY DEAR MR. HAY: I understand that Mr. C. P. Daly, chief clerk, Quartermaster General's Office, desires to secure an appointment as a military storekeeper.

It is a great pleasure to state that Mr. Daly is well and favorably known to me, and for the past four years has been intimately associated with me whenever I have acted as Quartermaster General. He is a man of high character and unusual ability, and is conscientious, faithful, and a hard worker. He has, too, had actual experience in every field of activity in the Quartermaster Corps, and is altogether the best equipped man in his line of work I have ever known.

If appointed to the position contemplated, he will bring to that position all of his experience, ability, and judgment, and insure to the department his continued and valuable service; and at the same time it will be a most deserved recognition and reward for long, faithful, and valuable service rendered.

Yours, sincerely,

HENRY G. SHARPE,  
Brigadier General, Quartermaster Corps,  
Acting Quartermaster General.

HEADQUARTERS EASTERN DEPARTMENT,

OFFICE OF QUARTERMASTER,

Governors Island, N. Y., June 8, 1916.

Gen. J. B. ALESHIRE,

Quartermaster General, United States Army, Washington, D. C.

SIR: Having been informed that Mr. Charles P. Daly is seeking appointment to the position of military storekeeper, with the rank of captain, mounted, in the Quartermaster Department, I hasten to communicate with you in the hope that a letter of commendation from me may be of some little assistance in enabling Mr. Daly to succeed in getting this appointment.

I have known Mr. Daly for a long time, and whereas I feel sure that his association with you is sufficient to give you all the necessary knowledge of his superior ability, I would like to express to you my feelings on the subject as to what a valuable addition he would make to the commissioned personnel of the Quartermaster Corps, and to further state that I feel his great service to that corps in the past could only be partially recognized by this appointment.

I am sure that his marked ability on all matters connected with the business affairs of the present Quartermaster Corps would be most valuable to the department, and I unhesitatingly recommend him to you for your consideration in the highest terms, and I am firmly of the belief that his appointment would be a great service to the Government.

Respectfully,

G. F. DOWNEY,  
Colonel, Quartermaster Corps.  
JUNE 9, 1916.

To Mr. DALY:

I concur in the views and recommendation of Col. G. F. Downey, assistant to the department quartermaster, Eastern Department.

J. B. ALESHIRE,  
Quartermaster General.

HEADQUARTERS EASTERN DEPARTMENT,

OFFICE OF DEPARTMENT QUARTERMASTER,

Governors Island, N. Y., June 7, 1916.

Maj. Gen. JAMES B. ALESHIRE,

Quartermaster General, United States Army,  
War Department, Washington, D. C.

DEAR GENERAL: I understand that there is a proposition to have legislation enacted by Congress which would bring about the appointment of Mr. Charles P. Daly, chief clerk of the Quartermaster General's office, as military storekeeper, with the rank, pay, and allowances of a captain, mounted.

It is a great pleasure to state that I think this would be a very suitable reward for the excellent service rendered by Mr. Daly to the Army generally and to the Quartermaster Corps specifically. The



work Mr. Daly has done and is doing merits recognition of this kind, and I sincerely hope that it will be brought about.

With best regards and good wishes, I am,  
Yours, most sincerely,

WILLIAM E. HORTON,  
Lieutenant Colonel, Quartermaster Corps.  
JUNE 9, 1916.

To Mr. DALY:

I concur in the views of Lieut. Col. William E. Horton, assistant to the Department Quartermaster, Eastern Department.

J. B. ALESHIRE,  
Quartermaster General.

WAR DEPARTMENT,  
OFFICE OF THE DEPOT QUARTERMASTER,  
New York City, June 7, 1916.

Maj. Gen. JAMES B. ALESHIRE,  
Quartermaster General, United States Army,  
Washington, D. C.

MY DEAR GENERAL: Having learned that Charles P. Daly will be considered for appointment as military storekeeper, I would like, without appearing presumptuous, to bring to your attention impressions gained by me of Mr. Daly's work in particular instances, for such use and consideration as you see fit to give.

I came in contact with Mr. Daly while I was Department Quartermaster, Central Department, at the time consolidation was being put into effect. I was greatly impressed with his suggestions and inspirations to the clerical force, upon whom the success of the scheme depended, and the service in the Central Department certainly benefited by his assistance at this time.

Again, in April, 1914—when the first field army was being organized for service in Mexico—as chief quartermaster of that force I was, by your permission, free to make use of Mr. Daly's knowledge in order to get tabulated the necessary information to prepare advance requisitions and outline a scheme for the best supply of the force. I am under obligations to Mr. Daly for cheerfully working on this matter for me on Sunday and at nights, with the assistance of other clerks equally willing, in his branch of your office. The expedition never sailed, but had it done so I feel that the assistance given by Mr. Daly at this time would have been of much benefit to the service.

I refer to these occasions where the work and enthusiasm, without other stimulus than interest in the corps, illustrate the character of this employee, and the fact that his service as military storekeeper would be invaluable to the Army.

With kindest regards,  
Sincerely, yours,

A. L. SMITH,  
Colonel, Quartermaster Corps.  
JUNE 9, 1916.

To Mr. DALY:

I concur in the views and recommendation of Col. A. L. Smith, depot quartermaster, New York.

J. B. ALESHIRE,  
Quartermaster General.

WAR DEPARTMENT,  
OFFICE OF THE DEPOT QUARTERMASTER,  
St. Louis, Mo., June 8, 1916.

Gen. J. B. ALESHIRE,  
Quartermaster Corps, United States Army,  
Washington, D. C.

GENERAL: It is a matter of personal gratification to me to be able to commend for favorable consideration the appointment of Charles P. Daly, chief clerk, Quartermaster General's Office, as military storekeeper, with the rank of captain, mounted.

From intimate association with Mr. Daly in the Office of the Quartermaster General, covering nearly five years, I have no hesitation in saying that Mr. Daly's work, in connection with the present system of accounting for money and property, for the organization and system of the Quartermaster General's Office, for the close correlation existing between that office and the Quartermaster Corps at large, and for marked economies in expenditure which have been effected in the Quartermaster Corps since 1907—these and many other measures of importance, all to the benefit of the service and administration of the War Department, have been of incalculable value to the Government.

Aside, therefore, from any personal reward or recognition which, in my opinion, his services amply merit, I consider that Mr. Daly could be of still further service to the Government in keeping a closer touch between the office of the Quartermaster General and the Quartermaster Corps at large if he were clothed with commissioned rank and the prestige accompanying it.

In my opinion his appointment as military storekeeper with the rank of captain, mounted, would be a highly desirable appointment in the interests of the service.

Very respectfully,

D. S. STANLEY,  
Lieutenant Colonel, Quartermaster Corps.  
JUNE 10, 1916.

To Mr. DALY:

I fully concur in the views of Col. D. S. Stanley, depot quartermaster, St. Louis.

J. B. ALESHIRE,  
Quartermaster General.

WAR DEPARTMENT,  
HEADQUARTERS CENTRAL DEPARTMENT,  
OFFICE OF THE DEPARTMENT QUARTERMASTER,  
556 Federal Building, Chicago, Ill., June 8, 1916.

MY DEAR GENERAL: I understand that an effort is being made to have the chief clerk, Charles P. Daly, appointed military storekeeper, with rank, pay, and allowances of a captain, mounted. I am not surprised that an effort is being made to get Daly a commission and regret that it was not done several years ago. I consider him the most valuable civilian employee in the War Department and in every way qualified for a commission in the Army, with the rank of a captain, or even a higher rank.

He has by his close attention to duty, his wide experience in all branches of quartermaster work, his knowledge of a quartermaster's duties and responsibilities, his executive ability, and the splendid work

he has already done for the Quartermaster Corps, merited a commission in the Army.

Mr. Daly is a clean, upright man, who will do honor to the position, and whose promotion will have the approval of every one in the Army who knows him and the work he has done.

DANIEL E. MCCARTHY,  
Colonel, Quartermaster Corps.

Maj. Gen. JAMES B. ALESHIRE,  
Quartermaster General United States Army,  
Washington, D. C.

JUNE 10, 1916.

To Mr. DALY:

I concur in the views expressed by Col. D. E. McCarthy, Department Quartermaster, Central Department.

J. B. ALESHIRE,  
Quartermaster General.

WAR DEPARTMENT,  
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,  
Washington, June 1, 1916.

From: Col. I. W. LITTELL, Quartermaster Corps.

To: The Quartermaster General.

Subject: Mr. Charles P. Daly; appointment of, as military storekeeper in the Quartermaster Corps with rank of captain.

1. Understanding that Mr. Daly is an applicant for appointment to the position and rank named above, I desire to add my testimony as to his eminent fitness for the position and to recommend him in the highest terms as deserving a reward for his long, most efficient, and faithful service in the Quartermaster Corps.

2. I have known Mr. Daly for many years, during which time he has occupied almost every clerical position in the corps, from the lowest to the highest, under all conditions of service. He has demonstrated unusual ability, aptitude, and great capacity for work, and I know of no one more thoroughly familiar with the difficult and wide scope of work which comes under the Quartermaster Corps or who is more deserving of advancement for loyal service rendered to the Government.

I. W. LITTELL,  
Colonel, Quartermaster Corps.

WAR DEPARTMENT,  
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,  
Washington, June 2, 1916.

Gen. JAMES B. ALESHIRE,  
Quartermaster General of the Army,  
War Department, Washington, D. C.

GENERAL: In the increase of the Army and consequent extension of the duties of the Quartermaster Corps, it is desired to submit the following recommendation:

(1) It is recommended that the grade of military storekeeper or supervisor of stores be created in the Quartermaster Corps, with the rank of captain.

(2) That the number of this grade shall be limited to one.

(3) That, with the sanction of Congress, the position be filled by the appointing of Mr. Charles P. Daly, chief clerk and assistant to the Quartermaster General.

Mr. Daly has from the period of the reorganization of the Quartermaster Corps, rendered invaluable service, equaled only by the Quartermaster General himself, to the corps in outlining all the administrative methods and preparing the details of administration and organization upon which the success of the reorganization work of the corps has depended.

Mr. Daly's services in the Quartermaster Corps extends over a period of 27 years, during all of which time he has been a close student of organization economics and methods of administration, in which line of work he is an expert of the highest class. Personally I have, since coming on duty in the office of the Quartermaster General in October, 1912, daily consulted Mr. Daly in the work of the Transportation Division, of which I have had charge. His knowledge of administrative methods, and a proper regard for the economics, his accuracy of judgment, and quick grasp of any complicated situation connected with the department has never failed to solve the most difficult problems. I do not know Mr. Daly's equal in attainments and capacity for work in the civilian force of the Army.

It is urgently recommended that he be placed in such a position that his qualifications and attainments may be constantly utilized by the department without any chance of their being lost through any cause. It may be added that the action proposed would be but a meager reward for his valuable and indefatigable services.

CHAUNCEY B. BAKER,  
Lieutenant Colonel, Quartermaster Corps.

WAR DEPARTMENT,  
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,  
Washington, May 18, 1916.

Hon. JAMES HAY,  
Chairman Committee on Military Affairs,  
House of Representatives, Washington, D. C.

MY DEAR MR. HAY: Referring to the conversation between yourself and Gen. Aleshire yesterday morning, concerning the estimates under Quartermaster Corps appropriations for the fiscal year 1917, I beg to advise you that the estimates submitted by this office at the hearings held by your committee commencing March 28, 1916, a summary of which is shown in the table on page 30 of the hearings, covered pay, subsistence, transportation, and other quartermaster supplies for 105,590 enlisted men in the line of the Army and 24,411 enlisted men in the staff corps and departments, including the Philippine Scouts, or a total of 130,001 enlisted men, being the first increment under H. R. 12766 as it originally passed the House of Representatives, and the increment authorized by H. J. Res 180, as shown in the table on page 57 of the hearings.

It will be noted from the table on page 30 that the total of the estimates pertaining to the Quartermaster Corps is \$121,619,539.78, and it is the opinion of this office that if that amount is appropriated it will be sufficient to provide for the first increment under H. R. 12766 as recently reported by the conferees.

Very respectfully,

HENRY G. SHARPE,  
Acting Quartermaster General.



WAR DEPARTMENT,  
GENERAL DEPOT OF THE QUARTERMASTER CORPS,  
115-123 East Ontario Street, Chicago, Ill., June 15, 1916.

From: Clerks of the depot quartermaster's office, Chicago, Ill.  
To: Hon. JAMES HAY, Chairman House Committee on Military Affairs.  
Subject: Captain's commission for Mr. Charles P. Daly, assistant and chief clerk to the Quartermaster General.

Information is at hand to the effect that Maj. Gen. James B. Aleshire, Quartermaster General of the Army, has interested himself in obtaining legislation appointing his assistant and chief clerk, Mr. Charles P. Daly, a military storekeeper, with the rank, pay, and allowance of a captain, mounted.

The undersigned, quartermaster clerks on duty at the depot quartermaster's office, Chicago, are earnestly desirous of doing all in their power to assist and to contribute to the accomplishment of the purpose of Gen. Aleshire in securing the desired legislation. From personal contact and personal knowledge we gladly testify to the wisdom of Gen. Aleshire's action in wishing to secure a captain's commission for Mr. Daly. We know of our own knowledge that Mr. Daly is the most thoroughly informed and best-posted civilian employee of the Quartermaster Corps, and his knowledge has been gained by actual experience in all phases of Quartermaster Corps work in posts, in headquarters, depots, and in the field in the United States, Cuba, China, the Philippines, and Mexico. Mr. Daly is known to all of us as a gentleman of clean, high character, sound judgment, and an authority on all matters pertaining to the supply of the Army.

The undersigned earnestly pray that the captain's commission be given to Mr. Daly as desired by Gen. Aleshire.

CHAS. ASPLUND.  
FRED K. JOHNSTON.  
J. M. GRIFFITH.  
GEO. H. WAKEFIELD.  
CHARLES L. YAEGER.  
M. M. POOL.  
WM. H. WILLIAMS.  
WM. L. O'BRIEN.

J. H. CARBAUGH.  
H. P. BELL.  
ANNA M. BAILEY.  
LANGHORNE ALLEN.  
JOHN PETERSEN.  
ARTHUR W. PARKER.  
W. J. ALLEN.

WAR DEPARTMENT,  
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,  
Washington, June 19, 1916.

Hon. JAMES HAY,  
Chairman Committee on Military Affairs,  
House of Representatives.

MY DEAR MR. HAY: Mr. Charles P. Daly, chief clerk of this office, is absent from the city on Government business, and therefore I am inclosing copies of four additional letters just received in relation to his proposed appointment as military storekeeper.

Very sincerely,

F. A. ELLISON.

HEADQUARTERS SOUTHERN DEPARTMENT,  
OFFICE DEPARTMENT QUARTERMASTER,  
Fort Sam Houston, Tex., June 10, 1916.

Maj. Gen. JAMES B. ALESHIRE,  
Quartermaster General of the Army,  
Washington, D. C.

MY DEAR GENERAL: I have learned unofficially that legislation is contemplated, with your approval, which, if enacted, will enable the appointment of Mr. Charles P. Daly, chief clerk of your office, as a military storekeeper with the rank, pay, and allowances of a captain, mounted.

This information is highly gratifying to me as fittingly conveying an adequate recognition of and reward for the most valuable services rendered by Mr. Daly to the Government, not only in the extraordinary efficiency with which he has performed the duties of chief clerk of your office but also for the admirable manner in which he has assisted in carrying out your plans for the improvement of the Quartermaster Corps generally throughout the service.

In my opinion Mr. Daly's long and arduous service, combined with his wide and varied experience in the workings of the Quartermaster Corps in its relations to the general Military Establishment, entitles him to a position in the Army, which will be at once a distinct appreciation of his merit and an assurance that the Government will continue to have the benefit of his abilities with a military standing measurably commensurate with his genuine worth. I have known Mr. Daly for many years, both officially and personally, having had the most favorable opportunities for observing and recognizing his ability in an administrative and executive capacity while I was on duty in your office, and since then I have had an opportunity to favorably judge of the influence and beneficial effect of his work in its bearing upon the Quartermaster Corps at large and in the field.

I sincerely trust that the proposed legislation in Mr. Daly's behalf will be successfully accomplished and I shall be very glad to extend to him a hearty welcome as a commissioned officer.

I have written to Mr. Daly personally to-day a letter which he may use. I have told him also that I am writing to you expressing my pleasure at the news that this measure is contemplated and adding my earnest recommendation to yours for the success of the proposed bill.

Respectfully,

H. L. ROGERS,  
Colonel, Quartermaster Corps, Department Quartermaster.

JUNE 15, 1916.

To MR. DALY:

This is a nice letter, and I fully agree in all Col. Rogers has said.  
J. B. ALESHIRE,  
Quartermaster General.

OFFICE DEPOT QUARTERMASTER,  
Fort Mason, San Francisco, Cal., June 13, 1916.

From: Lieut. Col. B. F. Cheatham, Quartermaster Corps.  
To: Maj. Gen. J. B. Aleshire, Quartermaster General, United States Army, Washington, D. C.

1. It has come to my attention that it is contemplated to introduce a bill before Congress to provide for the appointment of Mr. Charles P. Daly as military storekeeper, with the rank, pay, and allowances of a captain.

2. I have known Mr. Daly for about 10 years, and have been in a position to observe him carefully, and desire to express to you my earnest hope that this item may promptly become law.

3. Mr. Daly is peculiarly worthy to have this reward after many years of most arduous and highly valuable service for the Government.

He is conspicuous in ability and second to none in energy and integrity. 4. In my opinion it would have been extremely difficult for the present Quartermaster General to have accomplished the many radical improvements in systems of supply and other vital questions of administration in the Quartermaster Corps had it not been for the intelligent assistance of Mr. Daly in working out the multitudinous details.

B. F. CHEATHAM.  
JUNE 19, 1916.

To MR. DALY:

I concur fully in Col. Cheatham's views.

J. B. ALESHIRE,  
Quartermaster General.

GOVERNOR'S ISLAND, N. Y., June 16, 1916.

Maj. Gen. J. B. ALESHIRE, United States Army,  
Washington, D. C.

GENERAL: Understanding that Mr. C. P. Daly is a candidate for the office of military storekeeper, I desire to add a few words of personal tribute to those of others who are interested in his behalf.

It has been my good fortune to know Mr. Daly for a number of years, and I believe no member of the clerical force knows the Quartermaster Corps better than he nor is more entitled to recognition. If he is successful, his work and capabilities will prove exceedingly useful to the technical work of the Quartermaster Corps. I hope he will receive the honor he deserves.

Very truly, yours,

W. A. DEMPSEY,  
Chief Clerk, Department Quartermaster.

HEADQUARTERS EASTERN DEPARTMENT,  
OFFICE OF QUARTERMASTER,  
Governors Island, N. Y., June 17, 1916.

Maj. Gen. J. B. ALESHIRE, United States Army,  
Washington, D. C.

MY DEAR GENERAL: I understand that action is contemplated to procure legislation, if possible, to give your assistant and chief clerk, Mr. Charles P. Daly, the designation of military storekeeper, with the rank, pay, and allowances of a captain.

I hope this is true, as I consider such action highly commendable—a fitting tribute to his exceptional ability and untiring efforts to better our branch of the service. Those of us who know Mr. Daly personally recognize his mature judgment, breadth of view, and thoroughness of method. We consider him authority on all matters pertaining to the supply of the Army. Furthermore, his personality and character are an inspiration to us all.

I shall greatly appreciate any efforts made to procure for Mr. Daly this deserved recognition.

Yours, respectfully,

T. L. HOLLAND,  
Principal Clerk, Finance Division.

WAR DEPARTMENT,  
Washington, January 11, 1916.

Hon. JAMES HAY,  
Chairman Committee on Military Affairs,  
House of Representatives.

MY DEAR MR. HAY: I beg leave to transmit herewith a memorandum of The Adjutant General of the Army recommending the enactment of legislation providing that one of the enlisted men detached from the Army at large for the performance of duty at each of the recruit depots under the provisions of the act of Congress approved June 12, 1906, shall have the rank, pay, and allowances of a regimental sergeant major.

In transmitting this recommendation, with which I fully concur for the reasons stated in the memorandum, I beg leave to suggest that the object sought can be readily accomplished by including in the act making appropriation for support of the Army for the next ensuing fiscal year, or in any one of the other acts of Congress affecting the Army generally, a provision that one of the enlisted men detached from the Army at large for duty at each recruit depot shall, while so detached and performing such duty, have the rank, pay, and allowances of a regimental sergeant major.

It is deemed proper to add that a letter of similar import has been addressed by me to-day to the chairman of the Committee on Military Affairs of the United States Senate.

Very respectfully,

LINDLEY M. GARRISON,  
Secretary of War.

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,  
Washington, June 19, 1916.

Hon. JAMES HAY,  
Chairman Committee on Military Affairs,  
House of Representatives.

MY DEAR MR. HAY: Upon an examination of the printed copy of the draft of the bill making appropriation for the support of the Army for the fiscal year ending June 30, 1917, submitted on the 16th instant, it is observed that the bill does not contain a provision that one of the enlisted men detached from the Army at large for the performance of duty at each of the recruit depots shall have the rank, pay, and allowances of a regimental sergeant major.

I take a keen interest in this matter, and this interest impels me to venture to write you this personal letter for the purpose of ascertaining whether the provision referred to was overlooked or whether there is any reason that precludes its inclusion in the bill. If the former, I venture to express the hope that you can see your way clear to include in the bill a provision along the lines suggested in the inclosed copy of a letter of the Secretary of War and memorandum of this office for the relief of these deserving men.

Very respectfully,

H. P. MCCAIN,  
The Adjutant General.

[Memorandum for the Secretary of War.]

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE.

The act of Congress approved June 12, 1906 (34 Stat. L., 242), provides as follows:

"Hereafter the Secretary of War shall be authorized to detach from the Army at large such number of enlisted men as may be necessary to perform duties at the various recruit depots \* \* \*, and of the



enlisted men so detached, while performing such duty, there shall be allowed for each recruit depot \* \* \* one who shall have the rank, pay, and allowances of battalion or squadron sergeant major.

Under the authority cited there is now on duty at each of the five recruit depots, Fort Slocum, N. Y.; Columbus Barracks, Ohio; Jefferson Barracks, Mo.; Fort Logan, Colo.; and Fort McDowell, Cal., one battalion sergeant major who receives the pay incident to that grade. His work includes the supervision of all the correspondence incident to the administration of the depot to which he is assigned, and is of a very exacting nature, fully as exacting and far more onerous than the similar duties performed by the regimental sergeant major authorized for each regiment of Infantry under the provisions of the act of Congress approved February 22, 1901 (31 Stat. L., 750).

While the work of the regimental sergeant major, authorized under the act of Congress last cited, consists of the supervision of the correspondence incident to the administration of a regiment of Infantry having an enlisted strength of 872 men, the battalion sergeant major at a recruit depot has supervision over the correspondence incident to all the men who are enlisted or rejected at the particular depot concerned, as well as the correspondence incident to the permanent personnel of the depot and a large number of enlisted men sent casually to such depot for various purposes from time to time.

Within the fiscal year ended June 30, 1915, 32,832 men were enlisted and 5,633 rejected at the five recruit depots, a total of 38,915, or an average of 7,703 for each depot. In addition to this number there were several thousand casualties forwarded to and from Hawaii and the Philippine Islands, who passed through Fort McDowell, and also many casualties sent to the several depots for discharge on surgeon's certificate of disability, for trial by court-martial, and for other reasons. These men, sent casually to the depots, together with the permanent enlisted personnel of the depots, 1,334 in number, augmented appreciably the average number of enlisted men that passed through the depots and concurrently increased the depot correspondence and the work of the sergeant major connected therewith.

In connection with this subject it is deemed proper to quote the following extracts from the annual reports of the various depot commanders:

#### FISCAL YEAR 1913.

Fort Slocum, N. Y.: "To secure the highest efficiency it is suggested that there be assigned to this depot 1 sergeant major, regimental; 3 sergeants major, battalion, and 2 color sergeants; \* \* \*. By this method the chief of each division—correspondence, returns, and recruit record—would be a battalion sergeant major, under the general supervision of a regimental sergeant major, and the chief clerks in each, sergeants."

Columbus Barracks, Ohio: "I also renew my recommendation that the depot sergeant major be given regimental rank. Greater efficiency and more work are required of this noncommissioned officer than of a regimental sergeant major."

Jefferson Barracks, Mo.: "The sergeant major, by law, has the rank only of a battalion sergeant major. His duties are of an exacting nature and are similar to but more complex even than those of a regimental sergeant major. Steps should be taken to have this changed so as to give him the rank and pay of a regimental sergeant major or a sergeant (first class) Quartermaster Corps."

Fort Logan, Colo.: "In connection with the enlisted personnel, I would renew my recommendation that the depot sergeant major be given the grade of regimental sergeant major."

#### FISCAL YEAR 1914.

Fort Slocum, N. Y.: "The sergeant major by law has the rank of a battalion sergeant major. His duties are of an exacting nature and are similar to but more complex even than those of a regimental sergeant major. Steps should be taken to have this changed so as to give him the rank and pay of a regimental sergeant major."

"In considering this matter it should be borne in mind that this office handles 9,000 communications a year in the correspondence division; the returns division has to deal with a garrison of fluctuating strength, which under normal conditions numbers from 1,000 to 1,500 men, including a strength of casualties sent here for discharge on surgeon's certificate of disability or to be tried and dishonorably discharged. The recruit record division handles the papers of some 8,000 recruits annually, and upon every descriptive and assignment card are four or more entries, involving pecuniary responsibility."

Columbus Barracks, Ohio: "Recommendation—that the rank and pay of the depot sergeant major be made those of a regimental sergeant major."

Jefferson Barracks, Mo.: "I renew the recommendation made by several of my predecessors that the sergeant major, who by law has the rank only of a battalion sergeant major, be given the rank of regimental sergeant major. The work which a depot sergeant major has to supervise is much more than that of a regimental post, and the number and rank of men employed in his office under his direction is greater than in a corresponding office at a regimental post."

Fort Logan, Colo.: "In connection with the enlisted personnel, it is recommended that the depot sergeant major be given the grade of regimental sergeant major."

#### FISCAL YEAR 1915.

Fort Slocum, N. Y.: "The sergeant major of the depot should have the rank and emoluments of a regimental sergeant major."

Columbus Barracks, Ohio: "Recommendation is renewed that the depot sergeant major be given the rank and pay of a regimental sergeant major."

Jefferson Barracks, Mo.: "Recommendation—that the sergeant major of recruit depots be promoted to senior grade or be made a sergeant, first class, Quartermaster Corps. His duties are largely clerical. Sergeant clerks in the same office and under his supervision receive more pay than he does."

Fort Logan, Colo.: "Recommended that depot sergeant major be given the grade of regimental sergeant major."

Fort McDowell, Cal.: "Increase the rank of the present battalion sergeant major to that of regimental sergeant major. The responsibility involved and the knowledge necessary fully justify an increase in rank. From the very nature of his duties he should be senior (par. 9, Army Regulations) to every other noncommissioned officer at the depot." (Paragraph 9, Army Regulations, shows that a regimental sergeant major is the highest noncommissioned rank that can be attained.)

It is recommended that legislation be requested authorizing that there shall be allowed for each recruit depot one enlisted man, who shall have the rank, pay, and allowances of a regimental sergeant major.

The object sought can readily be accomplished by including in the act making appropriation for the support of the Army for the next ensuing fiscal year, or in any one of the other acts of Congress affecting the Army generally, a provision as follows (p. 9, line 20):

"Provided, That hereafter one of the enlisted men detached from the Army at large for duty at each recruit depot under the provisions of the act of Congress approved June 12, 1906, shall, while so detached and performing such duty, have the rank, pay, and allowances of a regimental sergeant major."

H. P. McCain,  
The Adjutant General.

DECEMBER 22, 1915.

The CHAIRMAN. Does the gentleman insist upon his point of order?

Mr. STAFFORD. Mr. Chairman, there are many other worthy chief clerks and other clerks in the department who would be entitled to the same recognition as this unquestioned worthy official, but to single out by special legislation this particular official and advance him to the grade of captain, giving him the retirement privileges of military life, would be, in my opinion, a piece of favoritism unwarranted, and it would work to the disorganization of the service in the department. There are many men down there, engineers, who are just as worthy and who would be entitled to appointment into the military arm of the service, just as much as this gentleman. I do not question that he has performed capable service in the past. It was his duty to do so, and the Congress has recognized it in the salary that he is receiving. For us to single out upon the recommendation even of the chief of the bureau, this man and grant him advancement in the military arm of the service as a captain is somewhat abhorrent to me, and accordingly I make the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

One superintendent, Nurse Corps, at \$1,800 per annum, \$1,800: *Provided*, That hereafter the superintendent shall receive such allowances of quarters, subsistence, and medical care during illness as may be prescribed in regulations by the Secretary of War.

Mr. MANN. Mr. Chairman, I make the point of order against the proviso.

Mr. HAY. Mr. Chairman, it is subject to the point of order. I will only say that this provision has been in the bill for some years, and we put in the word "hereafter" this time so as to avoid carrying it constantly in the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. Mr. Chairman, I will reserve the point of order. I think perhaps that I have made a mistake.

The CHAIRMAN. The gentleman from Illinois reserves the point of order.

Mr. MANN. I was under the impression at the time that this was a new provision in the bill, but I recall now that we have been carrying it annually.

Mr. HAY. Yes.

Mr. MANN. I have no objection to whoever is the superintendent of the Nurse Corps receiving the same pay and allowances that that person is getting now, and I have no objection to making it permanent law as far as that is concerned, and I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

Additional pay for length of service, \$12,320.

Mr. GREENE of Vermont. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 23, page 13, insert the following:

"Provided, That the Secretary of War is hereby directed to cause to be prepared, with as much expedition as may be consistent with thoroughness, a revision and codification of the military laws of the United States, which shall conform in scope and character to the revision and codification of the laws of the United States of a permanent and general nature directed by the act of March 3, 1901. The Secretary of War shall submit to Congress a report of progress of the revision and codification herein directed upon the first day of the second session of the Sixty-fourth Congress, and, when the revision and codification is completed he shall cause a copy of the same, in print, to be submitted to Congress, that the statutes so revised and codified may be reenacted if Congress shall so determine."

"For paying the expenses of clerical hire and printing and other expenses incident to the making of the revision and codification herein directed, such sum as may be necessary, not to exceed \$5,000, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended upon certificates of the Secretary of War that the expenditures were necessary therefor."

Mr. BORLAND. Mr. Chairman, on that I reserve the point of order.

Mr. GREENE of Vermont. Mr. Chairman, it must be obvious to all Members of the House that if we could get a revision and codification of any part of the statutes of the United States of America that have been written on the statute books since the last revision of 1878 we would all be grateful and public busi-



ness undoubtedly would be expedited, with a great saving in expense of administration. This amendment proposes to bring the military law of the United States up to date in such revision and codification. I have only to suggest to the gentleman from Missouri [Mr. BORLAND] that under the terms of the act referred to in the amendment a draft of such revision and codification has already been made, taking the law up to 1910, so that if the law accumulating since 1910 is prepared in the same manner and added to that draft or incorporated into it we shall have submitted to us in the course of a very short time, comparatively, a complete revision up to date. Of course, there may be some detail in that former draft of the codification and revision that it will be necessary to rewrite, but the task has largely been put out of the way through the work that was done under that former act.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?  
Mr. GREENE of Vermont. Yes.

Mr. STAFFORD. Under the gentleman's proposal, would it not be a continuing authority in the Secretary of War to have a codification made from time to time? There is no limitation, so far as the gentleman's amendment goes, as to when this codification is to take place. I certainly think there ought to be some provision as to time when the work shall be completed. Under this phraseology the Secretary of War would be perennially authorized to keep on making a codification.

Mr. GREENE of Vermont. Oh, no. If the gentleman will recall, the amendment provides distinctly that the Secretary of War shall submit to Congress a report of progress on the revision and codification upon the first day of the second session of the Sixty-fourth Congress, and when the revision is "completed" he shall cause a copy of the same in print to be submitted to Congress. There is a completion provided for. It is not continuing.

Mr. STAFFORD. It is directed that he shall make a provisional report on the first day of the next session, but there is no provision whatsoever as to when the codification is to be completed.

Mr. GREENE of Vermont. I will simply say to the gentleman that the phraseology of this proposed amendment was drawn by the Judge Advocate General of the Army at my request.

Mr. BORLAND. Let me ask the gentleman a question. Do I understand that this compilation has practically been completed by the Judge Advocate General?

Mr. GREENE of Vermont. It has not practically been completed, no.

Mr. BORLAND. How far has it gotten along?

Mr. MANN. It could not have gone very far with the recently passed reorganization bill.

Mr. BORLAND. It could have been brought up to the recently passed reorganization bill, and I am asking now—

Mr. MANN. I think the purpose is to bring it down in connection with the reorganization bill.

Mr. GREENE of Vermont. Yes; and I wanted to explain further about that.

Mr. BORLAND. I wish the gentleman would explain what is the compilation they have now.

Mr. GREENE of Vermont. Under the terms of the act that is referred to in the resolution the general revision of the statutes was proceeding and they continued those labors up to 1910. In connection with that, of course, the War Department has, as all departments do for their own convenience, kept the statutes from time to time in some form of compilation, so a large part of the ground work of such revision has been surveyed, at least marked out and lined up, which will prove to be of great usefulness when the finishing of the work is undertaken. The act of June 3, 1916, which is to be in most part effective the 1st of July, is not embraced at all, and it is so revolutionary in character and contains that customary clause, "Provided, That all laws and parts of laws inconsistent, and so forth, are hereby repealed," that it has left the whole existing law just at this critical time somewhat in a measure of doubt in many particulars.

Mr. BORLAND. Mr. Chairman, it strikes me that this authority the gentleman is seeking to give the Judge Advocate General is, as has been pointed out, a sort of continuing authority. If we enact it into law he may report progress of the Sixty-fourth Congress, he may report progress to the next succeeding 10 or 12 Congresses, and we will be carrying an appropriation here in each appropriation act for the continuation of this compilation. If there was a compilation in existence, it seems to me the Judge Advocate General must have such a working tool in his office; to have it published once for all would be a very good thing; but there ought to be some limita-

tion as to when this work is to be done and when it is to be completed and how much it is going to cost.

Mr. MANN. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. MANN. This is not intended as a compilation—

Mr. BORLAND. No; a revision.

Mr. MANN. That is just the distinction the gentleman wants to make. A codification. Of course, the office has a compilation, but a compilation of statutes is an entirely different thing, and no one knows that better than the gentleman from Missouri, from a codification. A compilation takes all of these statutes along, keeping them intact, with memoranda relating one to the other; but a codification is to bring them all into one enactment. Now, it can not be possible to have but one codification of the military laws, because the intention of this amendment is to have the War Department prepare the codification and for Congress to enact it, and not a compilation. Of course, everybody knows how much that would be—

Mr. BORLAND. There is no question but we have been trying to get a codification or a revision of the laws of the United States, and we have not succeeded, and we have spent a good deal of money to continue that work.

Mr. MANN. We codified the judicial title and we codified the criminal code. I dare say those codifications saved a great many thousands of dollars, and I do not know how much more money and effort to people all over the United States and to the Members of this House. It is easy enough to turn to the codification of the judicial title and find out what you want to know about the court. It is easy enough to turn to the Criminal Code to know what the criminal statute is, whereas before it was an impossibility, except with the greatest kind of research.

Mr. BORLAND. If the gentleman will yield, there are not a great many statutes of the United States relating to our Military Establishment.

Mr. HAY. There is a book of them, my friend.

Mr. GREENE of Vermont. Here is a compilation of the War Department up to date, which it uses for its own unofficial use, I might say.

Mr. BORLAND. Most of that is obsolete.

Mr. GREENE of Vermont. It is not; this is the last compilation.

Mr. BORLAND. It seems to me if this proposition could be limited so that the report was made at the second session of the Sixty-fourth Congress it would be a desirable thing; but I do not think he should be given continuous authority. Our experience has been it never might come to an end.

Mr. HAY. Let me suggest that the gentleman change his amendment so it will be continuing after a certain time he may fix.

Mr. MANN. It does not continue now.

Mr. HAY. Say in 1918.

Mr. MANN. After they report the codification to Congress, that ends it. I hold in my hand what is entitled "The Military Laws of the United States and Supplement to the Military Laws of the United States," down to the index.

Mr. BORLAND. We have more military laws than soldiers, according to that.

Mr. MANN. Without including the supplement, running down, it runs down to page 1116 and commences with the executive, on page 5. Now, I assume the codification will commence with the provisions of the Constitution.

Mr. BORLAND. No; the Constitution would not be in there.

Mr. MANN. But the main feature would be covered by the codification—would be covered in a volume of this size, of 250 pages, and of statute pages—probably 150 pages. This goes over 1,000 pages or 1,100 pages. I do not know whether it could be done for \$5,000, but I know if it can be done for that and we can enact it—

Mr. GREENE of Vermont. If the gentleman will permit—before I undertook this little errand on the floor, of course, I tried to get the opinion of the people in the War Department who would have to perform the labor, and I need not, I hope, suggest to the gentleman that I acted in this matter on my own initiative, not from some prompting by them. When I took my errand down to the War Department I found to my great gratification that they were just as happy as a boy with a new kite to think somebody would undertake to do it for them. The Judge Advocate General was very anxious to have the whole matter buttoned up and to get it done, more particularly as he is now busy with this new reorganization matter.

Mr. BORLAND. I suggest to the gentleman that he change his amendment to say that the Judge Advocate General submit the codification at the second session of the Sixty-fourth Congress.



Mr. GREENE of Vermont. With all this present upset between now and December?

Mr. BORLAND. The reorganization bill has been passed.

Mr. GREENE of Vermont. I understand, but—

Mr. MANN. I do not think they can do this before next March.

Mr. BORLAND. Then, we had better wait until they are ready to make the codification.

Mr. MANN. They can not be ready until they have the authority to go ahead with it. They have no authority or force to codify it. It is of no advantage to them to have a codification that is not enacted.

Mr. BORLAND. If they are not ready to codify now, after the Army reorganization bill has passed, I do not know when they will be ready.

Mr. MANN. A codification that is not law does not do them any good. It is the compilation that they use in their office, as the gentleman and I have to use the compilation of the Statutes of the United States now.

Mr. GREENE of Vermont. A large part of the time of the Judge Advocate General now is being employed in passing on constructions of this new reorganization act, showing at once the necessity for revision and codification.

Mr. BORLAND. That all goes to show that they are not ready to make a codification that will be of any use.

Mr. STAFFORD. Will it not be acceptable to the gentleman to have this work finished within two years? They should be given time to prepare a proper codification.

Mr. BORLAND. I would agree to an absolute limit of two years.

Mr. DOWELL. You had better make it one year.

Mr. GREENE of Vermont. I ask unanimous consent to amend my proposed amendment by inserting, in the third line, after the word "thoroughness," the words "to be finished within two years."

The CHAIRMAN. The gentleman from Vermont asks unanimous consent to amend his amendment in the manner indicated. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment as modified.

The amendment was agreed to.

Mr. MANN. I ask unanimous consent to strike out the word "Provided" at the beginning.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to strike out the word "Provided." Is there objection?

There was no objection.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word.

The provision here and further on for the Judge Advocate's office amounts to about \$115,000. I trust that every dollar of that will be used in establishing justice among the officers and men of the Army and no part of it for oppression. This afternoon the gentleman from Georgia [Mr. HOWARD], supplemented by the gentleman from Alabama [Mr. HUDDLESTON], did a distinctive public service. While I believe that discipline in the Army is absolutely necessary, and that the insignia of rank and grade must be kept clear and well established, yet the idea that seems to prevail in this country that the standard of the soldier in America shall follow and conform to the standard of the soldier of the Continent, and that the bearing and demeanor of the officers of the United States shall follow and conform to the bearing, demeanor, and conduct of the officer of the Continent, will not be long tolerated in America, and if tolerated in America we can not expect our military arm to prosper and succeed.

I make these remarks for the reason that the gentleman from Georgia [Mr. HOWARD] depicted clearly the conduct of our officers generally toward their men. An instance has arisen in this country during the last three years that demands that officialdom of our Army must to some extent be democratized, or the position of the soldier must be magnified and dignified. Otherwise the impassable gulf between man and officer will be such that we can not expect in the Regular Army at least that efficiency to which we are entitled. The case I have in mind is that of Maj. Benjamin Koehler, of the United States Army, who went from Nebraska as a boy to West Point, graduated with honor and a clear record. He went out into the service of the country imbued somewhat with the sentiments that the gentleman from Georgia [Mr. HOWARD] thought an American officer ought to have. He carried that idea into his service, both in time of peace and in time of war, in the Philippine insurrection and the Spanish-American War. So gallantly did he lead his men under fire that he was specially commended for

bravery and gallantry by Gen. Lawton for service in the Philippines. From there he went into various lines of service, and for his excellent conduct in the different employments which the Government gave him this young man was finally placed in command of Fort Terry, over between Connecticut and Long Island.

There he was in charge of a fort in a place that was most insanitary and in charge of men under him who were most immoral and corrupt—I speak of the underofficers—and in charge of business affairs of that fort which had been most unbusinesslike. This young man was a good disciplinarian, but at the same time the humanity within him had not been eliminated. He went to work, and whereas the officers there had been compelled to wear netting over their faces during the summer to keep out the mosquitoes and to protect themselves from annoyance and disease, he followed the examples of the men who had charge of the Panama Canal construction and cleared that fort of mosquitoes and of mosquito-borne diseases and of conditions that spread disease.

Further than that, he established business methods in and about that fort. He brought the underofficers up to a proper state of discipline and compelled them to observe their legal and financial obligations. More than that, where lewdness and lechery was rife he disciplined the younger officers and at the same time compelled the officers to recognize the rights of men.

The men in their sickness and their misfortunes were ministered to by this young major and those who were under him through his direction. But, as has occurred in other cases in times of peace, these men who were being disciplined, with not sufficient activity on their hands to keep them out of mischief, organized a cabal against him, and having organized that succeeded in having a complaint brought to the War Department, and upon return from a temporary absence he was arrested. He had no intimation or suggestion that there was anything against his record anywhere in the Army.

Charges were preferred against him, and they seemed so unreasonable that their basis was challenged. Friends of the major went to the War Department and requested that the Secretary of War send another man up there to make an investigation and find the truth before court-martialing the major. There in the hearing of two men now on the floor of the House the Secretary of War directed that an officer go up to Fort Terry and make an investigation and either cause a court-martial of the major or a court-martial of the other men, who made the complaint or were interested in it, which involved a large number of the young officers of the fort.

Edmund Burke once said that you could not indict a whole people. Neither could you court-martial a whole fort. So the major was condemned then and there by the then Secretary of War. He made the investigation and brought 17 different specifications. Not one of those charges involved moral turpitude or a crime against the country or against good morals. Where he administered unto the sick and where he had proved himself a humanitarian in looking after the welfare, social and otherwise, of his men his acts were construed into improprieties.

He was finally tried on the 17 specifications, and the two officers most instrumental in bringing the charges against him, one, Lieut. Frick, proved to be a lecherous liar, so much so that numerous witnesses testified that he was not to be believed under oath, and the other leading conspirator who gave testimony, Capt. Worcester, had been disciplined by Maj. Koehler.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. I ask for five minutes more.

Mr. HAY. The gentleman is making a speech outside of the bill, and I have been very lenient so far with him. Can not he extend his remarks in the Record?

Mr. GARDNER. Reserving the right to object, I would like to ask the gentleman if he has not made this speech before in the House? There are two sides to Maj. Koehler's case.

Mr. SLOAN. There are not two sides to it.

Mr. GARDNER. I heard the gentleman speak about it before.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska that he have five additional minutes? [After a pause.] The Chair hears none.

Mr. SLOAN. He was tried, and notwithstanding the fact that every period of his military record was searched, notwithstanding the fact that every Army officer called upon testified as to his purity of life and character, notwithstanding the fact that no two witnesses testified to any act charged against him, notwithstanding every charge against him was denied by clearest testimony, well corroborated, he was found guilty on 11 specifications. I challenge the gentleman who will read the record, remembering that under the military code an



officer charged must be found guilty beyond a reasonable doubt, under the same rule as prevails in the criminal law in civil life. not one of these charges was proven with such certainty as would have convicted the vilest man in civil life of the most trivial offense. In one particular case a man testified of a most trivial impropriety taking place in the room in the presence of another major, an officer now connected with the military college here; notwithstanding the statement of these two majors that jury accepted the statement, unsupported by other witnesses, of an uncorroborated statement against the major.

Now, my purpose in discussing this subject, which I have done before—

Mr. GARDNER. I think I can bring to the gentleman's attention where he has brought the case of Maj. Koehler before the House.

Mr. SLOAN. Oh, I certainly brought the case to the attention of the House, but I did not make this speech. That is the only particular in which Shakespeare and I are alike—neither of us repeat.

Mr. COX. What was the punishment meted out to the major?

Mr. SLOAN. The punishment meted out was dismissal in dishonor from the Army.

Mr. GARDNER. On what charge?

Mr. SLOAN. On the charge of conduct unbecoming an officer and a gentleman.

Mr. GARDNER. And what was that conduct unbecoming an officer and a gentleman of which he was found guilty?

Mr. SLOAN. Slight improprieties.

Mr. GARDNER. Oh!

Mr. SLOAN. Yes. Not a single overt act of moral turpitude or crime was charged against him even in the charge, nor were such charges to have been intended. He was dismissed. We desired to have a hearing before the President of the United States before his sentence was confirmed, and while we understood that we had an arrangement with the Secretary of War whereby we would have an opportunity to appeal to the President of the United States, friends of the major were not advised when the Secretary confirmed the finding of the court-martial and the case was disposed of before the President without the opportunity to present the case to the President, who was probably unaware of any desire to be heard. The sentence was executed and the major was discharged from the service.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. GARDNER. Has any Secretary of War agreed with the gentleman's position in this respect—of either party?

Mr. SLOAN. No; because the Secretary who said what I have quoted but recently departed from the service of this Government, and the new Secretary of War has been pretty busily engaged since he was appointed. Further, it is beyond the jurisdiction of the Secretary of War. It rests with Congress, before whom I have filed a bill for the major's reinstatement. But I want to say this, that the substance of the evidence on the 11 specifications upon which he was found guilty was submitted to eminent lawyers in this House and the Senate, and not one of the men, eminent in public life and eminent as lawyers in the Nation, after having read the testimony and charge and considered them, failed to say that there was not sufficient evidence under any of the specifications to find Maj. Koehler guilty. I hope when this appropriation bill has passed the Military Affairs Committee will grant a hearing upon the Maj. Koehler reinstatement bill.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. HILL. Mr. Chairman, may I trespass upon the courtesy of the chairman of the committee for five minutes on another matter? I do not do so very often, but this is a matter about which I feel very deeply. I am not going to offer an amendment to the bill, but I am going to ask the chairman if, during the progress of this bill, and some time before it is enacted into law, he and the party which he represents will not make some provision for the families of the members of the National Guard? Calling a member of the National Guard into the Government service is a very different thing from the case of a volunteer who goes into the Regular Army to make it his vocation. Other governments are doing precisely what I am asking the chairman of the committee to do now. I met a gentleman from Lyon, France, a few days ago. He told me that the men working in the silk mills there had been receiving 4 francs a day, and that when they enlisted and went into the army the Government paid 4 francs a day, which they had been receiving, for the support of their wives and children while they were in the service. The English Government passed a conscription act a few weeks ago and put the married men into a separate class from the single men, and did not send out the call for the married men who had families dependent upon

them until the quota of the single men was exhausted. Then they made a provision for the families of the married men while they were in the service. I know that it will be a very great hardship for many of the men who are members of the National Guard to be called away from their usual vocations, and have no compensation except the Army pay of \$15 a month. This is a very critical situation for the National Guard.

I do not speak with particular reference to Connecticut, for my understanding is that within 24 hours from the time the call was issued the National Guard in that State announced themselves as ready to submit to the orders of the Government; but I do say this: That it is for your interest and for mine and for the interest of every citizen of this Republic that there should be nothing held back now which will enable the National Guard to gain all of the credit which we all wish for them. The expense of the plan which I propose can not be very great. I do not personally care what the expense is. The people are able and willing to meet the required taxation. I believe that the calling out of the National Guard by the administration at this time is worth all that it will cost, even if they have no war duty to perform, because we will thereby be enabled to judge as to how much dependence can be placed upon them, and I want to place implicit reliance and dependence upon them, and I want to encourage them all, single men and married men—but married men especially with families, having responsibilities upon them—and I think the Government ought in some way provide for them under existing conditions. I want most earnestly to ask the chairman if at some time during the progress of the passage of this bill he himself will not offer an amendment making some additional provision for the care of the families of the men of the National Guard who are suddenly taken away from their usual vocations? I do not want to hear of one soldier's family anywhere in this land being found dependent upon local charity while he is away from his home defending the country's flag. [Applause.]

The Clerk read as follows:

For amount required to make monthly payments to Jennie Carroll, widow of James Carroll, late major, United States Army, \$1,500.

Mr. HUDDLESTON. Mr. Chairman, I desire to make a point of order to this provision.

Mr. HAY. It is not subject to a point of order. There was a special act passed giving this pension, or whatever you may call it, to Mrs. Carroll, and it has been carried in this bill ever since the law was passed, some eight or nine years ago. Therefore it is not subject to the point of order.

The CHAIRMAN. Does the gentleman from Alabama controvert what the gentleman from Virginia says? If not, it is plainly not subject to the point of order.

Mr. HUDDLESTON. Mr. Chairman, I would like to say this: This is an appropriation to pay a pension to a widow of a soldier.

Mr. HAY. It is not a pension.

Mr. HUDDLESTON. I would like to know what it is.

Mr. HAY. I can state to the gentleman what it is. This is to pay the amount of \$1,500 a year in monthly payments to Jennie Carroll, widow of James Carroll, late a major in the United States Army. Maj. Carroll was a surgeon who made experiments in Cuba about yellow fever on his own body, and the Congress of the United States thought it was as little as it could do to provide for his widow, and the Congress passed a special act making provision for her in this way. It has been carried on this bill ever since the law was passed.

Mr. MANN. May 23, 1908.

Mr. HAY. May 23, 1908.

Mr. HUDDLESTON. Mr. Chairman, it is obvious that this is a pension, and that it was granted by special statute and that it is an appropriation for the purpose of paying a pension. As such it comes within the jurisdiction of the Committee on Appropriations. The Committee on Military Affairs has no right to report an appropriation for anything except for the upkeep of the Army. I will ask the indulgence of the chairman, so I may read a portion of Rule XI, under which jurisdiction is conferred upon committees:

All proposed legislation shall be referred to the committees named in the preceding rule as follows, viz: Subjects relating:

Third. For appropriation of the revenue for the support of the Government as herein provided, viz, for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for the District of Columbia; for pensions; and for all deficiencies; to the Committee on Appropriations.

Now section 12:

To the Military Establishment, the militia, and the public defense, including the appropriations for their support, and for that of the Military Academy; to the committee on Military Affairs.

Mr. Chairman, originally the Committee on Military Affairs did not have jurisdiction to report an appropriation bill at all. The rule was amended in 1885, as it appears here, giving to that committee the power to report appropriation bills for the sup-



port of the Military Academy and the support of the Military Establishment, but never has jurisdiction been given to that committee to report an appropriation to pay a pension or a gratuity or a reward, whatever it may be called, whatever the gentleman may choose to call this payment that is proposed to be made to this no doubt very worthy object.

The CHAIRMAN. May I ask the gentleman a question?

Mr. HUDDLESTON. Yes.

The CHAIRMAN. That same reason would apply to the provisions of line 15:

For one year's pay to beneficiaries of officers and enlisted men who die as a result of aviation accident.

Mr. HUDDLESTON. I would not like to express an opinion on that, Mr. Chairman. It seems to me it is possible that it might, but it is not so clear that it does. However, it is absolutely clear to my mind that this appropriation does not come within the scope of the provision of subsection 12. It is not for a part of the Military Establishment, it is not for maintaining it. It is not for maintaining the militia, it is not for the public defense, it is not for the Military Academy. It is not for either of those four things. Now, Mr. Chairman, I do not care to get this question of order mixed up with the merits of the appropriation. We have a great many very meritorious appropriations—

The CHAIRMAN. The Chair will only look at it from its parliamentary standpoint.

Mr. HUDDLESTON. If we waive the argument which the gentleman had made on that point, I insist that if it is worthy it should come in under the report of the Committee on Appropriations making their recommendation therefor. It seems to me we can not carry on our legislation in an orderly way unless we pursue that general policy.

Mr. HAY. Mr. Chairman, I do not think the point of order of the gentleman from Alabama is well taken. The point of order has been made before to this item, and has been overruled by the Chair—I forget who occupied it; I am not sure it was not the present occupant of the chair, but here is an appropriation made to carry out the law—

Mr. HUDDLESTON. Will the gentleman yield?

Mr. HAY. Yes.

Mr. HUDDLESTON. Does it differ in that respect from any other private pension legislation?

Mr. HAY. It is not a pension; it is a provision made for the support of the widow of an officer of the Army, and it is not a pension and it is given for unusual reasons. Now, the gentleman says you must discriminate between points of order and the merits of the case. That may be, but if the gentleman and the Congress want the officers of the Army and the Navy to properly defend the country and be willing to give their lives up in the interest of the country and in the interest of humanity, I do not believe in this picking out points of order for cases of this kind, for there never was a more meritorious case than this. I do not believe it is subject to a point of order, because if it is not in order on this bill it must be in order on some bill. What other bill? It is no more in order on the legislative bill than it is on this bill or the sundry civil bill or on any other appropriation bill. It has been in order on this bill all the time. It has been decided to be in order on this bill, and I do not see any reason why it should not be carried on this bill, as it has been done ever since it was authorized.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. HAY. Yes.

Mr. HUDDLESTON. In what respect does this differ so far as this question is concerned from any other pension? A pension is a gratuity paid periodically by the Government for worthy services rendered. Now, how does this differ from any other pension in that respect?

Mr. HAY. It differs from it in the amount; it differs in the way in which it was granted; it differs from it in that it is not a pension in the sense we generally regard a pension.

Mr. MANN. Mr. Chairman, this is not a pension. It is a special act authorizing the payment to the widow of James Carroll, which same act provided for the same sum to be paid to the widow of Jesse W. Lazear. It was a special act, a special provision, not a pension to this widow. It does not come within the scope of a pension, and did not come from the Pension Committee.

Mr. CAMPBELL. Mr. Chairman, when I happened to be a member of the Committee on Pensions, these bills were referred to that committee for both of these cases. Pending their discussion they were taken from the Committee on Pensions, and I think jurisdiction was taken by the Committee on Military Affairs. At least, the Committee on Pensions did not pass upon these bills, because of the precedent that it would have estab-

lished in that committee, and I think jurisdiction was taken by the Committee on Military Affairs.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. HUDDLESTON. Does the mere fact that the Committee on Military Affairs reported a bill granting this gratuity, or whatever you choose to call it, affect the question as to what appropriation bill should carry it?

Mr. CAMPBELL. But the point is that it was not regarded as a pension, but as a special recognition by the Government of the United States of unusual service rendered by these officers.

The CHAIRMAN. The question of jurisdiction is frequently technical and hairsplitting, and sometimes you can with almost equal logic refer a matter to either one of two committees. Accepting the statement of facts made by the gentleman from Kansas [Mr. CAMPBELL], this matter was originally disposed of by the Committee on Military Affairs; and while, of course, in a sense, if you ran this thing down to the ultimate, it may be a pension; yet in another sense it is related to the Military Establishment. Having in mind the genesis and origin of the matter, it seems to the Chair very clear that this ought to remain with the Committee on Military Affairs and in this bill. Yet a very good argument might be made in favor of the contention of the gentleman from Alabama.

The Chair overrules the point of order.

Mr. HUDDLESTON. Mr. Chairman, I wish to make the same point of order as to the next item in the bill, beginning with line 23, on page 16, and ending with line 25, the appropriation for Mable H. Lazear, which is in the same situation.

The CHAIRMAN. The Chair thinks on the same principle it must be perfectly clear that if this item is to go out a number of these items here relating to the Military Establishment must go out of the bill. The item on the top of page 17 would come within the principle of the ruling, if the point of order is sustained; but it seems to the Chair that all these matters are sufficiently related to the Military Establishment to be included in this bill, and the point of order is overruled.

Mr. HUDDLESTON. I will say to the Chair that I make this point of order knowing that it is the same as the other one, but not wishing to discriminate between these items, because I make no choice between them.

Mr. CULLOP. If the gentleman will pardon me, the item on page 17 differs very materially from the other. Mr. Kissinger is now living. He offered himself on the call for volunteers to experiment as to the origin of yellow fever and the discovery of the yellow-fever germ. He offered himself as a sacrifice, and was ruined by it. After that he went into the Hospital Corps, and still lives, but is a hopeless cripple. It was a contribution to science, a very different matter. But few instances are on record of such sacrifice as he made in the interest of science and humanity. He was a fine specimen of physical and mental manhood. When the call came for come one to offer himself for the experiment, he responded to the call, science and humanity profited, but he was ruined for life, made a hopeless cripple, and will so remain as long as he lives. It was on his part a heroic service, and this is a very small sum to pay him. It ought to be more than double the amount here allowed.

Mr. HAY. It is just exactly the same as the other two items. All three of these men did the same thing.

The CHAIRMAN. The Chair thinks there is sufficient to justify their retention in this bill. The Clerk will read.

The Clerk read as follows:

That the Secretary of War be, and he is hereby, authorized and directed to place on the rolls of the War Department the name of Harriett Chiverton Carroll, mother of the late James Carroll, major and surgeon, United States Army, and pay her for and during the period of her natural life, in lieu of all pensions, the sum of \$50 per month, in special recognition of the eminent services of said James Carroll in discovering the means of preventing, as well as the cause and method of transmission and propagation of, yellow fever, and demonstrating on his own person the truth of the theory of the transmission and propagation of yellow-fever infection by mosquitoes.

Mr. HUDDLESTON. Mr. Chairman, I make a point of order on that, and the additional point that it is new legislation.

Mr. HAY. It is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. ANTHONY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Insert as a new paragraph, after line 16, on page 17, the following:

"That the Secretary of War shall make a list of all officers of the Army who have been placed on the retired list for disability, and shall cause such officers to be examined at intervals as may be advisable, and such officers as shall be found to have recovered from such disability



or to be able to perform services of value to the Government sufficient to warrant such action shall be assigned to such duty as the Secretary of War may approve."

Mr. HAY. I think that amendment ought to be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

The Clerk read as follows:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage of officers, pay clerks, acting dental surgeons, contract surgeons, and expert accountant, Inspector General's Department, when authorized by law, shall be disbursed and accounted for by officers of the Quartermaster Corps as pay of the Army, and for that purpose shall constitute one fund.

Mr. HAY. I move to amend the bill, on page 18, line 6, by striking out the words "acting dental surgeons." I do that because they have now become commissioned officers, and it is not necessary that they be carried in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HAY].

The amendment was agreed to.

Mr. HAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and had come to no resolution thereon.

#### SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, a joint resolution (S. J. Res. 114) withholding from allotment the unallotted lands or public domain of the Creek Nation or Tribe of Indians and providing for the sale thereof, and for other purposes, was taken from the Speaker's table and referred to the Committee on Indian Affairs.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BRUCKNER, indefinitely, on account of illness.

#### DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the diplomatic and consular appropriation bill (H. R. 13383), disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Virginia asks unanimous consent to take from the Speaker's table House bill 13383, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I believe this bill just came over to-day. Would the gentleman have any objection to letting his request lie over until to-morrow?

Mr. FLOOD. It will just defer it that much longer, that is all.

The SPEAKER. Does the gentleman from Wisconsin object?

Mr. STAFFORD. At the present time.

The SPEAKER. The gentleman from Wisconsin objects.

#### SCHOONER LEDGE RANGE FRONT LIGHT.

The SPEAKER laid before the House the following resolution:

IN THE SENATE OF THE UNITED STATES,  
June 20, 1916.

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 13233) authorizing the Secretary of Commerce to exchange lands belonging to the United States at the mouth of Crum River, Pa., for other lands adjacent thereto, for the purpose of removing thereto the Schooner Ledge Range Front Light, so that it may be on the range of the channel of the Delaware River, and further authorizing the Secretary of Commerce to remove said range light from its present location to the property acquired by the exchange.

Mr. MANN. I ask unanimous consent to vacate all the proceedings by which this bill was ordered to a third reading and passed, and that the bill lie upon the table.

The SPEAKER. The gentleman from Illinois asks unanimous consent to vacate all the proceedings on this bill back to the point where the third reading was ordered, and that the bill lie on the table. Is there objection?

There was no objection.

#### ADJOURNMENT.

Mr. HAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Thursday, June 22, 1916, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Gravesend Bay, N. Y., with a view to the construction of a breakwater (H. Doc. No. 1230); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Harbor City, Tex., to a connection with the inland waterway (H. Doc. No. 1231); to the Committee on Rivers and Harbors and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and a resolution were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MURRAY, from the Committee on Indian Affairs, to which was referred the bill (H. R. 16093) to amend an act entitled "An act to provide for the payment of drainage assessments on Indian lands in Oklahoma," reported the same without amendment, accompanied by a report (No. 824), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (H. R. 239) to establish a new judicial circuit of the United States with a circuit court of appeals, hereafter to be called the tenth circuit, reported the same with amendment, accompanied by a report (No. 825), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16287) granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River, reported the same without amendment, accompanied by a report (No. 836), which said bill and report were referred to the House Calendar.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the concurrent resolution (S. Con. Res. 12) requesting the President of the United States to designate a day on which funds may be raised for the relief of the Armenians, reported the same without amendment, accompanied by a report (No. 837), which said concurrent resolution and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4253) conferring jurisdiction on the Court of Claims to hear, determine, and report to Congress on claims of the Iowa Tribe of Indians against the United States, reported the same without amendment, accompanied by a report (No. 826), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1098) to adjust and settle the claims of the loyal Shawnee and loyal Absentee Shawnee Tribe of Indians, and to report the same to Congress, reported the same with amendment, accompanied by a report (No. 827), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1094) conferring jurisdiction on the Court of Claims to hear and determine and report to Congress on claims of the Ponca Tribe of Indians against the United States, reported the same without amendment, accompanied by a report (No. 828), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2458) authorizing the Cowlitz Tribe of Indians residing in the State of Washington to submit claims to the Court of Claims, reported the same without amendment, accompanied by a report (No. 829), which said bill and report were referred to the Private Calendar.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (S. 3539) for the relief of John L. Moon, reported the same without amendment, accompanied by



a report (No. 830), which said bill and report were referred to the Private Calendar.

Mr. FLYNN, from the Committee on Claims, to which was referred the bill (H. R. 14784) for the relief of Alma Provost, reported the same with amendment, accompanied by a report (No. 831), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12145) for the relief of Joseph Manning, reported the same with amendment, accompanied by a report (No. 832), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11745) for the relief of S. E. Bennett, reported the same without amendment, accompanied by a report (No. 833), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 14046) for the relief of Mrs. Francesca G. Montell, reported the same without amendment, accompanied by a report (No. 834), which said bill and report were referred to the Private Calendar.

Mr. PRICE, from the Committee on Claims, to which was referred the bill (H. R. 2743) for the relief of the widow of Joseph C. Akin, reported the same with amendment, accompanied by a report (No. 835), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15888) granting an increase of pension to Orrel Tucker, and the same was referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. COOPER of Ohio: A bill (H. R. 16552) to provide for the erection of a public building in the city of Niles, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 16553) to authorize the burial of acting assistant or contract surgeons in national cemeteries; to the Committee on Military Affairs.

By Mr. SANFORD: A bill (H. R. 16554) to extend the time of the Hudson River Connecting Railroad Corporation for the commencement and completion of its bridge across the Hudson River in the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Nebraska: A bill (H. R. 16555) to acquire a site for a public building at Schuyler, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16556) to acquire a site for a public building at Wayne, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16557) to provide for the erection of a public building in the city of Wayne, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. SISSON: A bill (H. R. 16558) to amend the act of Congress approved February 1, 1890, entitled "An act to provide certificate of honorable service to those who have served in the United States Navy or Marine Corps who have lost their certificate of discharge"; to the Committee on Naval Affairs.

By Mr. DICKINSON: A bill (H. R. 16559) authorizing the Secretary of War to furnish two bronze or brass cannon or field-pieces to the Warrensburg State Normal School, Warrensburg, Mo.; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 16560) authorizing the construction and equipment of munitions factories, the selection of sites, and making an appropriation therefor; to the Committee on Appropriations.

By Mr. LA FOLLETTE: A bill (H. R. 16561) to aid in the erection of a monument to Indian Timothy at his grave near Alpowa, Asotin County, Wash.; to the Committee on the Library.

By Mr. LITTLEPAGE: Joint resolution (H. J. Res. 240) providing for the payment of salaries of Government employees serving with the National Guard; to the Committee on Reform in the Civil Service.

By Mr. VENABLE: A joint resolution (H. J. Res. 241) to continue the payment of the salaries of Government employees who are absent because of military service to the country; to the Committee on Reform in the Civil Service.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 16562) granting a pension to Roy Croker; to the Committee on Pensions.

By Mr. BEALES: A bill (H. R. 16563) granting a pension to Agnes E. Green; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 16564) granting an increase of pension to William J. Raymond; to the Committee on Invalid Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 16565) for the relief of William H. Corcoran; to the Committee on Claims.

By Mr. CARY: A bill (H. R. 16566) granting an increase of pension to Columbus Shannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16567) granting an increase of pension to James Dougherty; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 16568) for the relief of the Savings & Homestead Association of New Orleans, La.; to the Committee on Claims.

By Mr. EAGLE: A bill (H. R. 16569) for the relief of Frank Boddeker; to the Committee on Claims.

By Mr. ESTOPINAL: A bill (H. R. 16570) to carry out the findings of the Court of Claims in the case of Florine A. Albright; to the Committee on War Claims.

By Mr. LAFEAN: A bill (H. R. 16571) granting an increase of pension to Maria McKinley; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 16572) for the relief of the Pearl Street Perpetual Savings & Building Association No. 2; to the Committee on Claims.

Also, a bill (H. R. 16573) for the relief of the Pearl Street Perpetual Savings & Building Association; to the Committee on Claims.

By Mr. ROWLAND: A bill (H. R. 16574) granting an increase of pension to William Rimert; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 16575) granting an increase of pension to Mrs. Melvinia C. Young; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 16576) granting an increase of pension to Margaret F. Boyle; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Protest of E. Baumgardner, Mrs. George Jacobs, Mrs. John Defrehn, Mrs. George Exler, Retta Owen, O. W. Davis, Charles Lape, Mrs. Salem, Mrs. E. J. Lover, Alice Buxton, Mrs. J. Dedore, F. J. Gates, Mrs. G. W. Mattern, Mrs. Robert Bollman, Anna Boyle, Mrs. Charles Martin, Mrs. Catherine Stadler, Mrs. Gresham Owen, Mrs. A. Owen, Mrs. C. Smith, Mrs. Clara Lentz, Mrs. Frank Yeager, Mrs. E. F. Mack, Charles E. Hurrell, Clara Seigh, Mrs. L. Dohoney, Thomas E. Dohoney, Daniel W. Dohoney, Nicholas Umbaugh, Mrs. J. T. Seigh, Mary Seigh, J. T. Seigh, D. L. Munster, Ruth Seigh, Mrs. James Sturroch, J. Sturroch, Angus Sturroch, G. A. Musche, Laura Hurrell, Mrs. C. E. Hurrell, J. J. Maloney, Mrs. J. J. Maloney, Miss Josephine Dill, Mr. and Mrs. Paul Bracken, Mrs. E. Quigley, H. J. Quigley, Harry Scherer, William J. Waters, I. Wakefield, M. Howe, Cora Cox, Mrs. J. T. Carliss, J. Paul Kirschmann, Mrs. C. A. Moore, Mrs. N. Byers, Mrs. R. Gracey, Mrs. Robert Haws, C. Carthew, Miss C. A. Seigh, K. Hughes, L. O'Laughlin, J. C. Pender, John Horten, Thomas Marshall, M. Dowling, and C. Kelley, all of Johnstown; and William A. McGuire, of Ebensburg, all in the State of Pennsylvania, against the passage of House bill 9671, to establish price control; to the Committee on Interstate and Foreign Commerce.

By Mr. BEALES: Memorial of Industrial Board of the Department of Labor and Industry of the State of Pennsylvania, favoring passage of House bill 16207, for creation of a woman's division in Federal Department of Labor; to the Committee on Labor.

Also, evidence in support of House bill 10248, to correct the military record of Charles P. Kibler; to the Committee on Military Affairs.

By Mr. CAREW: Petition of District Grand Lodge No. 2, I. O. B. B., of Cincinnati, Ohio, against immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DALE of New York: Petition of American Enamelled Brick & Tile Co., of New York, against the Tavenner amend-



ment to the fortification bill; to the Committee on Appropriations.

Also, petition of the Hindus, against literacy clause in immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DARROW: Memorial of industrial board of the Department of Labor and Industry of Pennsylvania, favoring bill to create a woman's division in the Federal Department of Labor; to the Committee on Labor.

By Mr. DENISON: Petition of citizens of Coulterville, Ill., for a Christian amendment to the Constitution; to the Committee on the Judiciary.

By Mr. HUDDLESTON: Petition of M. A. Booth and many other persons of Birmingham, Ala., in opposition to House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. HUMPHREY of Washington: Petition of citizens of the State of Washington, against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: Petition of 39 citizens of Pierce County, Wash., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. LINTHICUM: Memorials of Ashcraft Cotton Mills, C. W. Ashcraft, of Florence, Ala., and Mutual Cotton Oil Co., C. Jones, of Ozark, Ala., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of New South Oil Mill, R. T. Doughtie, of Helena, Ark., indorsing House resolution 137; to the Committee on Rules.

Also, memorials of Contemporary Club, Miss Mary Crawford, of Redlands; Mrs. Samuel Brust, Antituberculosis Society, of San Diego; Women's Club, Mrs. E. Ronnswell, of Fruitvale; the Country Club of Washington Township, Mrs. C. Thompson, of Centerville; and Painters, Decorators, and Paperhangers' Local No. 314, Charles J. Wells, of Bakersfield, all in the State of California, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Cloud City Miners' Union, No. 33, Steve Oberto, of Leadville, Colo., indorsing House resolution 137; to the Committee on Rules.

Also, memorials of Wednesday Afternoon Club, of Norwich; State Tuberculosis Commission, George I. Allen, of Hartford; Mrs. Edward Sterling, of Bridgeport; and Waterbury Typographical Union, No. 329, LeRoy E. Bolles, of Waterbury, all in the State of Connecticut, indorsing House resolution 137; to the Committee on Rules.

Also, memorials of Woman's Club, Mrs. T. Whorter, of Reynolds, and the Young Women's Aid Society, Miss Joy Mendes, of Savannah, Ga., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Journeymen Plumbers' Protective and Benevolent Association, John J. Bushnell, of Chicago, Ill., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Central Trades Council, E. F. Minch, of Marion; Chautauqua Club, Miss Nellie Albright, president, of Goshen; and Bricklayers and Masons' Union, James C. Lybolt, of Indianapolis, all in the State of Indiana, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Sunset Club, Helen Woods, of Grinnell, and Fortnightly Literary Club, Adelaide Stober, of West Liberty, Iowa, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of United Garment Workers, Irene E. Jackson, of Wichita, and Alta Vista Reading Club, Mrs. W. C. A. Meseke, of Alta Vista, Kans., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Jefferson County Graduate Nurses' Club, Ona E. Riggs, of Louisville, Ky., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Post F, Travelers' Protective Association of America, Samuel Levy, of Lake Charles, La., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Henry F. Broening, Baltimore Federation of Labor; Sheet Metal Workers, Coppersmith Local No. 80, Henry Nieberding; Metal Polishers, Buffers, and Platers, Local 11, Adam A. Reed; and United Garment Workers of America, G. A. Ott, all of Baltimore, Md., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of the Kensington Park Study Club, Mrs. W. H. Cutler, of Arlington, Mass., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of J. M. B. W. E. Lodge 215, Mr. Herman T. Varblau, of Imlay City, Mich., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Fairmont Travel Class, Mrs. W. R. Diment, president, of Fairmont; and United Brotherhood of Carpenters and Joiners, Mr. O. A. Weedlund, of Minneapolis, Minn., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Newburg Civics Club, Mrs. Blanche B. Williams, of Newburg; Stove Mounters' International Union, Local No. 96, Charles Stock, of St. Louis; and United Mine Workers of America, Local No. 1442, Andrew Steele, of Novinger, all in the State of Missouri, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of United Association of Plumbers and Steam Fitters, Local No. 463, Mr. Daniel J. Lynch, of Omaha, Nebr., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Village Improvement Association, Mrs. F. E. Bates, of Cranford, N. J., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Mrs. William G. Willcox, of West New Brighton, Staten Island; Village Improvement Society, Mrs. S. S. Kilkenny, of Delhi; the Central Labor Union, Alburdis Nooney, of Hudson; and Painters, Decorators, and Paperhangers, Ernest Rogers, of Buffalo, all in the State of New York, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of United Daughters of the Confederacy, Mrs. L. J. Ingram, of Wadesboro, N. C., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of the Dayton Federation of Labor, Daniel H. Sullivan, of Dayton; International Association of Machinists, L. Beesten, of Cincinnati; and Cary Literary Club, Mrs. Addison Y. Reid, of Norwood, all in the State of Ohio, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of local barbers union, No. 717, of Journeymen Barbers' International Union of America, M. H. Prior, of La Grande, and order of Railroad Telegraphers, Mrs. F. E. Walters, of Ashland, Oreg., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Kehley Run Local Union, No. 2611, United Mine Workers of America, Harry Gibson, of Shenandoah; United Mine Workers, Local No. 2034, Benjamin Habbershon, of Osceola Mills; the New Century Club, Mrs. M. T. Stokes, of Coudersport; United Mine Workers, Local No. 1936, William Holahan, of Branchdale; Local Union No. 1468, United Mine Workers of America, Terrance McDermott, of St. Boniface; Consumers' League of Western Pennsylvania, Miss Rita F. Stein, of Pittsburgh; United Mine Workers, Local No. 480, A. Daiz, of Chambersville; Local Union No. 25, A. F. G. W. U., Oscar Ekstedt, of Rochester; United Mine Workers of America, Local No. 1294, George Andrews, of Lilly; and Woman's Club, Mrs. S. C. Daugherty, of Jeannette, all in the State of Pennsylvania, indorsing House resolution 137; to the Committee on Rules.

Also, memorial of Federation of Labor, Rafael Alonso, of San Juan, P. R., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of the Newport Humane Club, Ida B. W. Stoddard, of Newport, R. I., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of the Women's Club, Mrs. L. P. McCain, of Spearfish, S. Dak., indorsing House resolution 137; to the Committee on Rules.

Also, memorials of Galveston County Medical Society, Joseph Cartin, of Galveston; Painters, Decorators, and Paperhangers of America, Thomas J. Moore, of Galveston; Mission Lodge, No. 177, International Association of Machinists, H. W. Reichelor, of Yoakum; Central Trades Council, H. S. Newland, of Temple; E. P. McKenna Co., E. P. McKenna, of Tyler; Quanah Cotton Oil Co., J. W. Simmons, jr., of Quanah; and Lange Soap Co., of San Antonio, all in the State of Texas, indorsing House resolution 137; to the Committee on Rules.

Also, memorials of Tailors' Industrial Union, A. Waerz, of Charlottesville, Va.; and Painters, Decorators, and Paperhangers of America, W. J. Comings, secretary, Local No. 440, of Roanoke, Va., indorsing House resolution 137; to the Committee on Rules.

Also, memorials of the Woman's Club, Mrs. L. C. Hall, of Green Bay, Wis.; and Woman's Fortnightly Club, Elizabeth J. Jackson, of Milwaukee, Wis., indorsing House resolution 137; to the Committee on Rules.

Also, memorial of United Mine Workers of America, Local No. 2331, H. C. Gordon, of Oakley, Wyo., indorsing House resolution 137; to the Committee on Rules.

By Mr. PAIGE of Massachusetts: Petition of 35 citizens of Athol, Mass., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of 50 citizens and Woman's Christian Temperance Union, of Leominster, Mass., favoring national prohibition; to the Committee on the Judiciary.



By Mr. SMITH of Idaho: Petition of citizens of Idaho, against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, memorial of Woman's Christian Temperance Union of New Meadows, Idaho, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Challis Commercial Club, favoring the creation of the Sawtooth National Park; to the Committee on the Public Lands.

Also, papers to accompany House bill 8491; to the Committee on the Public Lands.

Also, memorial of women's mass meeting at Pocatello, Idaho, relative to woman suffrage; to the Committee on the Judiciary.

## SENATE.

THURSDAY, June 22, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we lift our hearts to Thee for Thy guidance and blessing in a troublous time. In the midst of the first rude conflict, a time that tests the great moral and spiritual ideals of the Nation, we turn back to the God of our fathers and seek Thy favor. We know that it will profit us nothing if we as a Nation gain the whole world and lose our own soul. To Thy hand we commit our interests. As Thou hast guided us in the years past ever onward and upward in the achievement of the purposes of our civil organization, so we pray that Thou wilt guide us still. At this time may we not allow ourselves either in the vanity of power or in the conceit of safety to rest secure, but grant, we pray, that in all diligence we may give ourselves to the seeking of those lines of peace and justice and righteousness that exalt a nation and that will give us even larger influence among the nations of the world. May we show ourselves a self-mastered people. To this end do Thou guide us by Thy holy spirit. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, June 20, 1916, when, on request of Mr. SWANSON, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13383) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLOOD, Mr. CLINE, and Mr. COOPER of Wisconsin managers at the conference on the part of the House.

### PETITIONS AND MEMORIALS.

Mr. SHEPPARD presented a memorial of sundry citizens of Keene, Tex., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. JOHNSON of South Dakota presented petitions of sundry citizens of South Dakota, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Fenimore Council, No. 249, United Commercial Travelers of America, of Mitchell, S. Dak., praying for the enactment of legislation to provide an investigation into conditions surrounding the marketing of dairy products, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of South Dakota, praying for an increase in armaments, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Worthing, S. Dak., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. SHERMAN presented a memorial of Local Branch No. 6, Post Office Clerks' Association, of Chicago, Ill., remonstrating against the transfer of temporary employees in the Auditor's Office of the Post Office Department to the money-order division of the Chicago post office, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a memorial of the Board of Supervisors of Butte County, Cal., remonstrating against the imposition of a Federal tax on inheritances, which was referred to the Committee on Finance.

He also presented a petition of the Health Officers' Association of Los Angeles County, Cal., praying for Federal aid in the treatment of tuberculosis, which was referred to the Committee on Public Health and National Quarantine.

He also presented memorials of sundry citizens of San Joaquin County, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Franklin Printing Trades Association, of San Francisco, Cal., praying for the enactment of legislation to prohibit the exportation of manufactured papers and materials used in the making of paper, which was referred to the Committee on the Judiciary.

Mr. MYERS presented petitions of sundry citizens of Great Falls, Helena, and Miles City, in the State of Montana, praying for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Helena and Miles City, in the State of Montana, praying for the enactment of legislation to forbid interstate transmission of race-gambling odds and bets, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Commercial Club, of Great Falls, Mont., praying for Federal aid in the construction of good roads, which was ordered to lie on the table.

Mr. WARREN presented memorials of sundry citizens of Wyoming, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. POINDEXTER. I present a joint memorial of the Legislature of Washington relating to legislation for the relief of settlers on unsurveyed Northern Pacific Railway lands, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,  
The State of Washington, Department of State.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 1, passed January 18 and 19, 1915, with the original copy of said memorial now on file in this office, and find the same to be a full, true, and correct copy of said original and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capitol, at Olympia, this 24th day of February, A. D. 1915.

[SEAL.]

I. M. HOWELL,  
Secretary of State.  
By J. GRANT HINKLE,  
Assistant Secretary of State.

(Senate joint memorial 1.)

To the Hon. FRANKLIN K. LANE,  
Secretary of the Interior, Washington, D. C.:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, would most respectfully represent:

That the Hon. A. A. Jones, First Assistant Secretary of the Interior, on December 13, 1913, in submitting his report to the Senate Committee on Public Lands on Senate bills Nos. 2801 and 3087, made the following recommendation:

"I recommend the amendment of the act of July 1, 1898 (30 Stat., 597), extending the right of selection to settlement claims arising prior to July 1, 1913."

That there are pending at this time in the United States Senate certain bills looking for the relief of settlers on Northern Pacific Railway lands, on which bills the Senate Committee on Public Lands has requested a report from the Interior Department.

Therefore, we, your memorialists, most earnestly and respectfully pray that your honorable department submit its further report regarding a proposed amendment of the act of July 1, 1898, extending relief to settlers whose settlement claims were prior to July 1, 1913, causing to be introduced in Congress legislation in conformity with its report, if it should be ascertained that such legislation be not already pending.

And your memorialists will ever pray.

Passed the senate January 18, 1915.

LOUIS F. HART,  
President of the Senate.

Passed the house January 19, 1915.

W. W. CONNER,  
Speaker of the House.

Mr. POINDEXTER presented the memorial of Carolyn Davis and sundry other citizens of Seattle, Wash., and the memorial of Mrs. George Woolf and sundry other citizens of Colville, Wash., remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented the memorial of Willard Fay and sundry other citizens of Colville, Wash., and the memorial of Mary A. W. Paxton and sundry other citizens of Hassan, Wash., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. TOWNSEND presented a memorial of sundry citizens of Alpena, Mich., remonstrating against the enactment of legislation